
GENERAL NOTICE

NOTICE 1506 OF 2005

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

I, Mandisi Mphahla, Minister of Trade and Industry, do hereby, in terms of section 10(3) of the Consumer Affairs (Unfair Business Practices) Act, 1988 (Act No. 71 of 1988), publish the arrangement dated 20 June 2005 entered into between the Consumer Affairs Committee and TW Central Services cc and its members.



MANDISI MPAHLWA, MP

MINISTER OF TRADE AND INDUSTRY

24 October 2005

SCHEDULE

I UNDERTAKING

UNDERTAKING BY MR WHITE, SOLE MEMBER OF TW CENTRAL SERVICES CLOSE CORPORATION IN TERMS OF SECTION 9 OF THE CONSUMER AFFAIRS (UNFAIR BUSINESS PRACTICES) ACT NO 71 OF 1998

Background: TW Central Services CC (2003/071879/23), whose only member is William Thomas White, operates as, *inter alia*, a credit repair entity. A credit repair entity is any business or person who provides a service, in return for money or any other valuable consideration, for the express or implied purpose of improving a consumer's credit record, credit history, or credit rating; or for removing adverse credit information that is accurate and not obsolete from the consumer's credit record, credit history or credit rating. Under Notice 169 in Government Gazette 18646 dated 6 February 1998, the Minister of Trade and Industry (the Minister) *inter alia* outlawed the business practice whereby credit repair entities receive any money or other valuable consideration for the performance of any service that a credit repair entity has agreed to perform for a consumer before such service is fully performed.

Undertaking: I, William Thomas White (ID 810613 5002 084) am aware that, in terms of section B of the Act, the Committee may at any time negotiate with any person, with a view to making an arrangement which in the opinion of the Committee will ensure the discontinuance of an unfair business practice which exists or may come into existence and which is the subject of an investigation.

I am aware

- (1) Of Notice 169 of 1998 and its contents. The Consumer Affairs Directorate of the Department of Trade and Industry made a copy of this Notice available to me.
- (2) That a business practice includes any advertising, type of advertising or any other manner of soliciting business and that an unfair business practice means any business practice (and therefore advertising) which, directly or indirectly, has or is likely to have the effect of unreasonably prejudicing any consumer and/or deceiving any consumer,
- (3) That the Committee is of the opinion that the advertisement placed by me in the Daily Sun of 20 October 2004 is likely to have the effect of deceiving consumers, as it gives an impression that we can remove credit bureau

listings including those that are correctly listed.

I undertake

- (a) Not to apply any of the unfair business practices outlawed by the Minister and which are set out in Notice 169.
- (b) To make available to potential clients the "written statement" referred to in Notice 169.
- (c) To ensure that any advertisement of TW Central Services CC shall not contain any claims or illustrations, which, directly or by implication, could be misleading.


I furthermore understand that any contravention of this undertaking shall immediately and without further notification or discussion lead to an investigation in terms of section 8(1)(a) of the Act.



Mr TW White

Signed on the 3rd day of February 2005

1) Witness:



Signed on the 3rd day of February 2005

(2) Witness:



Signed on the 3rd day of February 2005