
GENERAL NOTICE

NOTICE 1741 OF 2007**DEPARTMENT OF TRADE AND INDUSTRY
CONSUMER AFFAIRS (UNFAIR BUSINESS PRACTICES) ACT,
1988**

I, Mandisi Mpahlwa, MP, 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, the Act), publish the arrangement dated 04 May 2007 entered into between the Consumer Affairs Committee and World Travel International and its Member.

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

AGREEMENT

Background

World Travel International is a registered company in terms of the Company's Act, Registration number 2005/006134/07. The Company's registered office are situated at Unit 9A, Paston Lourens Road, Somerset West in the Western Cape. The main business of World Travel International is to provide their clients with discounts on accommodation featured on their website. They also provide their clients with extra services such as flights, car rentals and holiday insurances, such does not include discounts on flights. The company does not sell timeshare, holiday ownership or holiday points. The company is not related to holiday ownership of any kind and only offer their clients access to their property database. The company sells their product directly to consumers and involves sales agents. As a result they have to comply with the Direct Selling Association's Code of Practise.

Clause 12 of the company's contract with its clients provides that :

*I / We have read the acknowledgement of Fair Trading document and understand and accept the declarations contained therein. I / We acknowledge and accept the terms of membership contained in this agreement, and acknowledges that no verbal representation or any promise by any sales consultant or any addendum or any changes on the agreement will override the company's terms and conditions unless on company letter head and authorized by a company Director and I/We authorize World Travel to process membership registration and legal formalities today. **I/We understand that we have signed a legal binding agreement that does not offer a cancellation period and confirm our acceptance of the above conditions.** I/We are happy to have signed this Acknowledgement and Authorization to proceed having read and understood all the above points and the membership Terms and Conditions referred to above.*

I have been informed that the Consumer Affairs Committee (the Committee), after undertaking a section 4(1)(c) investigations in terms of the Consumer Affairs (Unfair Business Practices) Act, 71 of 1988 (the Act), found that clause 12 of our contract which excludes the cooling off period is in contravention of the DSA's Code of Practice. Therefore our contract in the current state is likely to have the effect of (a) harming the relations between the company and the clients (the consumers); (b) **unreasonably prejudicing the consumers**; (c) deceiving the consumers and (d) unfairly affecting the consumers. In the opinion of the Committee, the aforesaid clause in our contracts renders our contract unfair as defined in the Act.

I have been informed that in terms of section 9 of the Act, the Committee may, at any time, negotiate with any person with the view to making an arrangement which, in the opinion of the Committee, will ensure discontinuance of an unfair business practice which exists or may come into existence and which is the subject of an investigation. I am therefore prepared to negotiate and make an arrangement with the Committee regarding the future conduct of World Travel international.

Undertaking: In view of the above I, David Roberts, the Client Service Manager of World Travel International, undertake:

1. to amend clause 12 of the existing contract to include a cooling off clause permitting the customers to withdraw from the contract within a specified period of time, which shall not be less than 5 (Five) working days the date of signature.
2. Pay refund consumers who have decided to cancel the contract within the specified period.

- 3. Ensure that future business practices of the company does not directly or indirectly have the effect of harming the relations between my business and consumers or unreasonably prejudicing any consumer and unfairly affecting any consumer."

I further 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.

David Roberts
David Roberts (on Behalf of WTI)

4 January 2007
DATE

Amey
Signature
Witness (1)
Name & Surname in block letters
Address

BRIGOT JANSEN
5A PASTORIS PARK
SOMERSET WEST

Signature
Witness (2)
Name & Surname in block letters
Address

.....
.....
.....