

REPUBLIC OF SOUTH AFRICA

**SELECT COMMITTEE AMENDMENTS
TO
CONSUMER PROTECTION
BILL**

[B 19—2008]

*(As agreed to by the Select Committee on Economic and Foreign Affairs
(National Council of Provinces))
(The English text is the official text of the Bill)*

[B 19A—2008]

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AMENDMENTS AGREED TO
CONSUMER PROTECTION BILL
[B 19—2008]

CLAUSE 1

1. On page 9, in line 57, to omit “to be paid or to be paid” and to substitute “paid, or to be paid ”.
2. On page 12, in line 10 and 11, to omit “to the consumer at his or her direction” and to substitute ”, at the direction of, or to the consumer”.

CLAUSE 5

1. On page 16, in line 27, to omit “are” and to substitute “could not reasonably be”.

CLAUSE 8

1. On page 18, in line 35, to omit “or prospective consumer”.
2. On page 18, from line 50, to omit “or a consumer”.

CLAUSE 9

1. On page 19, from line 25, to omit “or prospective consumer”.
2. On page 19, in line 35, to omit “prospective”.
3. On page 19, in line 39, to omit “prospective”.

CLAUSE 10

1. On page 20, in line 6, to omit “or prospective consumer”.

CLAUSE 13

1. On page 21, in line 14, to omit “results” and to substitute “appears to result”.

CLAUSE 14

1. On page 21, in line 23, after “period” to insert “,if any,”.

CLAUSE 21

1. On page 26, in line 54, to omit “consumer” and to substitute “person”.

CLAUSE 22

1. On page 27, in line 10, to omit “,or;” and to substitute “;or”.

CLAUSE 34

1. On page 32, in line 11, to omit “prospective”.
2. On page 32, in line 14, to omit “prospective”.

CLAUSE 35

1. On page 32, in line 52, to omit “prospective”.
2. On page 32, in line 55, to omit “prospective”.

3. On page 33, from line 19, up to and including line 27, to omit subclauses (5) and (6) and to substitute:

“(5). A sponsor of a loyalty programme, or a supplier of goods or services who accepts loyalty credits or awards as consideration for any particular goods or services, may impose a partial or complete restriction on the availability of any such goods or services in exchange for loyalty credits or awards during any specific period, if the programme sponsor has directly or indirectly given notice in writing to the members of that programme at least 20 business days before the beginning of that period, but the total of all such periods within a calendar year must not exceed 90 days.”

CLAUSE 36

1. On page 33, in line 55, to omit “promoter” and to substitute “person”.
2. On page 33, in line 59, to omit “participant” and to substitute “person”.
3. On page 34, in line 1, to omit “participant” and to substitute “person”.
4. On page 34, in line 4, to omit “participant” and to substitute “person”.
5. On page 34, in line 7, to omit “participant” and to substitute “person”.
6. On page 35, in line 17, to omit “and (6)”.

CLAUSE 38

1. On page 36, in line 6, to omit “prospective”.

CLAUSE 40

1. On page 36, in line 54, to omit “52(1) and (2) apply” and to substitute “51 applies”.

CLAUSE 41

1. On page 37, from line 5, to omit “or prospective consumer”.
2. On page 37, from line 9, to omit “or prospective consumer”.
3. On page 37, in line 20, to omit “or prospective consumer”.
4. On page 37, in line 47, to omit “or prospective consumer”.
5. On page 37, from line 48, to omit “or prospective consumer”.
6. On page 37, in line 50, to omit “or prospective consumer”.
7. On page 37, in line 56, to omit “52(1) and (2) apply” and to substitute “51 applies”.

CLAUSE 42

1. On page 37, from line 60, up to and including line 2 on page 38, to omit paragraph (a) and to substitute:

“(a) offers to supply, or enter into an agreement to supply, any goods or services, or offers to enter into a transaction, or invites offers to enter into a transaction; and”

CLAUSE 43

1. On page 39, in line 15, to omit “prospective”.

CLAUSE 45

1. On page 40, in line 29, to omit “have” and to substitute “has”.

CLAUSE 47

1. On page 41, from line 11, up to and including line 14, to omit “paragraph (b)” and to substitute:

“(b) in addition, compensate the consumer for costs directly incidental to the supplier’s breach of the contract, except to the extent that subsection (5) provides otherwise.”

CLAUSE 52

1. On page 44, in line 42, to omit “buyer” and to substitute “consumer”.

CLAUSE 58

1. On page 47, in lines 29, 33 and 36, after “hazardous” to insert “or unsafe”

CLAUSE 63

1. On page 50, in line 15, after “does” to insert “not”.
2. On page 50, in line 15, after the word “after” to insert “all of”.
3. On page 50, in line 21, to omit “five” and to substitute “three”.

CLAUSE 64

1. On page 50, in line 45, to omit “each”.

CLAUSE 81

1. On page 57, from line 39, up to and including line 40, to omit paragraph (d) and to substitute:

“(d) round brackets used in pairs to isolate any part of the name, alone or in any combination.”
2. On page 57, in line 55, to omit “this” and to substitute “that”.

CLAUSE 121

1. On page 71, in line 52, after “;” to insert “and”.
2. On page 71, in line 54, to omit “; and” and insert “.”.
3. On page 71, in line 55, to omit paragraph (g).