

# Is your business ready for the new consumer protection bill?

By [Tshepiso Seopa](#)

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When parliament adopts the new Consumer Protection Bill aimed at protecting consumers from harmful practises, South Africans will be amongst the best protected in the world.

The current legislative framework does not address challenges the sudden increase of low quality and unsafe products, the lack of awareness of consumer rights, inadequate protection and limited redress, as well as weak enforcement systems.

With the aim helping businesses to understand and successfully implement the new Bill while meeting expectations of their customers and consumers of their products, Learning in Practise in conjunction with Ipsos Markinor, JPV Solutions and L&N events, organised a seminar to help businesses to be attuned for the new change.

Themed 'Take it or leave it! Why should we?', the customer satisfaction seminar was held at the FNB conference centre in Sandown, Gauteng, on Tuesday 27 May 2008.

Explaining the details, Neville Melville the director of Onlineombud.com, said that under the new Bill, consumers will have a right to demand quality service and will have a right to cancel reservations, standing orders or continuous service agreements. They will have the right to choose and examine goods; receive delivery of products and services; as well as hold the right to a cooling off period and to return goods.

The Bill also regulates businesses to bear full legal responsibility for consequential damages from unsafe or defective goods if proof of negligence is provided. And now it would not be necessary to prove fault or blame on the part of the supplier in order to succeed in a claim against it.

The consumer's right to privacy, the right to accept, refuse or block any direct marketing approach is also promoted by the new Bill.

The Bill seeks an establishment of structures such as the National Consumer Commission as the primary administrative regulator responsible for carrying out education, research, investigation of complaints and enforcement of the Act. This includes the establishment of a tribunal to conduct hearings on complaints and adjudicate certain disputes and alleged prohibited conduct through structures such as the National Consumer Commission, industry ombud, consumer court, and court.

The consequences of not adhering to the conditions of the Bill could lead to a 10% fine of the company's annual turnover or

R1 million.

Melville concluded his presentation by urging businesses not to view complaints as nuisance but an opportunity to retain the clients. He reminded businesses that such opportunities provide a likelihood that the customer will do more business with the organisation than when they had not complained. "You need to make sure that your organisation meets the expectations of today's empowered customer," said Melville.

## ABOUT TSHEPISO SEOPA

Tshepiso Seopa was a junior journalist at Bizcommunity.com.  
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