

REPUBLIC
OF
SOUTH AFRICA



REPUBLIEK
VAN
SUID-AFRIKA

Government Gazette Staatskoerant

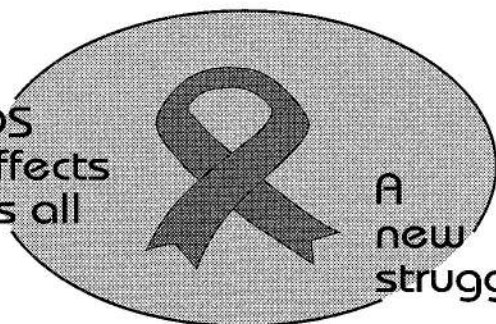
Vol. 423

PRETORIA, 29 SEPTEMBER 2000

No. 21613

We all have the power to prevent AIDS

AIDS
affects
us all



A
new
struggle

Prevention is the cure

**AIDS
HELPUNE**

0800 012 322

DEPARTMENT OF HEALTH

CONTENTS

*No.**Page
No. Gazette
No.*

GENERAL NOTICE

Trade and Industry, Department of

General Notice

3434 Consumer Affairs (Unfair Business Practices) Act (71/1988): Consumer Affairs Committee: For public interest..... 3 21613

GENERAL NOTICE

NOTICE 3434 OF 2000

DEPARTMENT OF TRADE AND INDUSTRY

CONSUMER AFFAIRS (UNFAIR BUSINESS PRACTICES) ACT, 1988

I, Alexander Erwin, Minister of Trade and Industry, by virtue of the powers vested in me by section 12 (6) of the Consumer Affairs (Unfair Business Practices) Act, 1988 (Act No. 71 of 1988), and after having considered a report by the Consumer Affairs Committee in relation to an investigation of which notice was given in Notice 517 of 1999 in *Government Gazette No. 19896*, dated 1 April 1999, which report was published in Notice 1817 of 12 May 2000 in *Government Gazette No. 21162*, promulgate in the public interest the notice in the Schedule.

SCHEDULE

In this notice, unless the context indicates otherwise-

"interest recalcuator" means:

- (a) any business or person or any other provider of a service that revolves round a dispute on the interest payable by a debtor to a creditor, who provides any service in return for money or any other valuable consideration for the express or implied purpose of investigating fees, charges, and/or interest charged on any debtor's account(s), including accounts held at financial institutions; and
- (b) sellers of computer software packages originating from South Africa, which, in return for money or any other valuable consideration, are specifically programmed to calculate fees, charges, and/or interest charged on any debtor's account(s), including accounts held at financial institutions.

"harmful business practice" means:

- (a) the exclusion by interest recalculators in their sales contracts, of the following (not to be amended) phrases and/or words. These phrases and/or words must be in bold print, no smaller than the print in the contract and are not to be printed on the reverse side of the contract.

"I, the undersigned (on the behalf of myself or company or close corporation or partnership or sole proprietorship - delete what is not applicable), hereby confirm that it was explained to me and I understand that:

1. there is no evidence to suggest that financial institutions, as a matter of policy, deliberately overcharge their clients interest;

2. there is no guarantee as to the time period that the investigation will be concluded;
3. the responsibility to obtain the necessary financial statements, such as bank statements, rests with (company, close corporation, partnership, sole proprietorship), trading as (trading name of recalculator or whatever the recalculator wishes to call itself) and the investigation will not commence until such time that the necessary statements have been received by (trading name of recalculator);
4. financial institutions, such as banks, will not necessarily agree with the calculations of the (trading name of recalculator) and these institutions are in most cases prepared to dispute any claim in a court of law; and
5. it could be time consuming and expensive should (trading name of recalculator) find, according to its calculations, that I do have a claim against a financial institution and this claim is disputed by the financial institution.

(Signed)

Date

(b) failing to print the following on the cover of the compact disc(s)/stiffy(ies)/floppy disk(s) by interest recalculators who sell computer software packages originating from South Africa, and which are specifically programmed to calculate fees, charges, and/or interest charged on any debtor's account(s), including accounts held at financial institutions:

"Take note:

1. there is no evidence to suggest that financial institutions, as *a matter of policy*, deliberately overcharge their clients interest;
2. to undertake a recalculation one requires all the relevant financial statements, such as bank statements, for a certain period, and this may take some time;
3. financial institutions, such as banks, will not necessarily agree with your calculations and these institutions are in most cases prepared to dispute any claim in a court of law; and
4. it could be time consuming and expensive should you find

that you were "overcharged" and your claim is disputed by the financial institution.

(c) the exclusion by the sellers of computer software packages, as described above, and should they sell the packages by way of sales contracts, the exclusion of the (not to be amended) phrases and/or words in the contracts as required of interest calculators and which was set under (a) above.

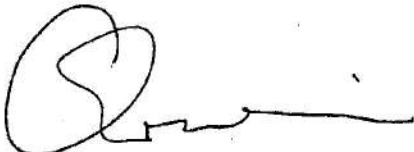
"the parties" means interest recalculators.

1. The harmful business practice is hereby declared unlawful in respect of the parties.

2. The parties are hereby directed to-

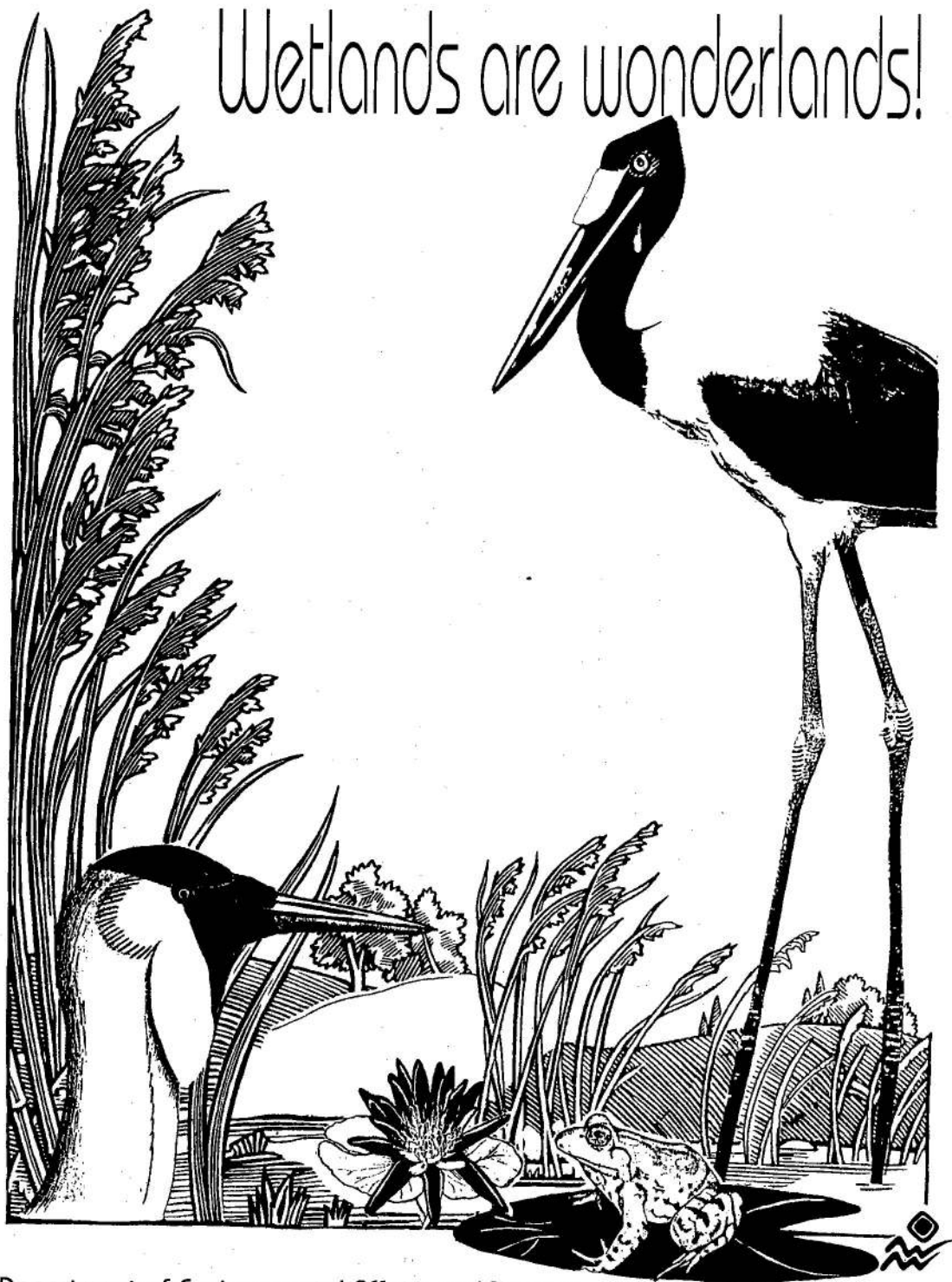
(a) refrain from applying the harmful business practice;

(b) refrain at any time from applying the harmful business practice.

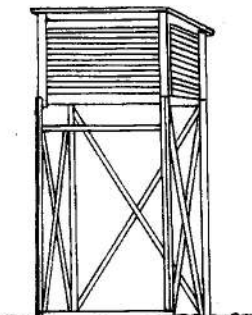
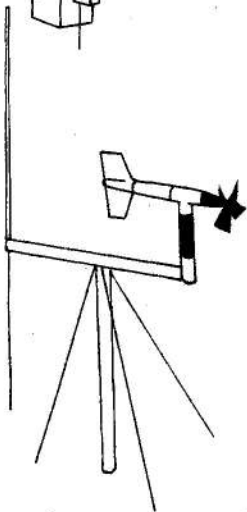


A. ERWIN
MINISTER OF TRADE AND INDUSTRY

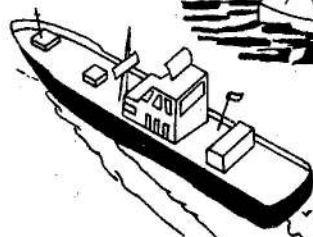
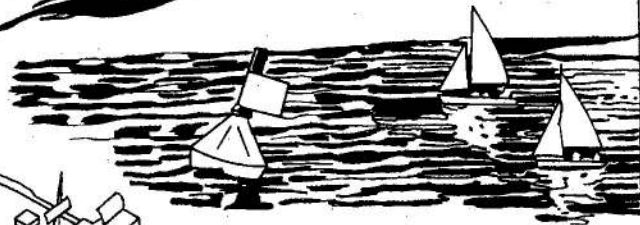
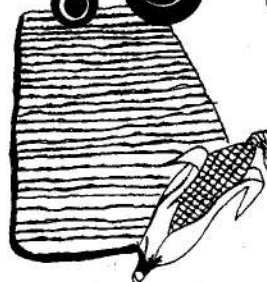
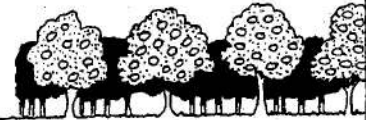
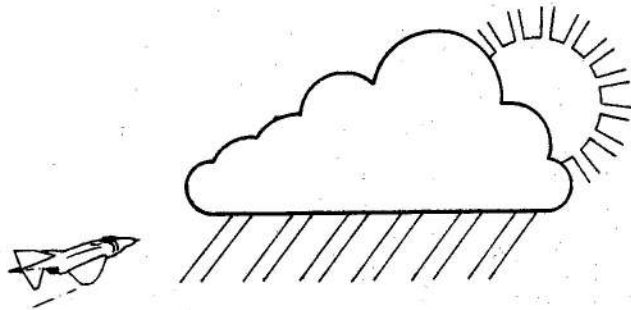
Wetlands are wonderlands!



Department of Environmental Affairs and Tourism

SA WEATHER BUREAU SA WEERBURO

**W
E
A
T
H
E
R
·
S
E
R
V
I
C
E
S
·
W
E
E
R
D
I
E
N
S
T
E**



DEPT. OF ENVIRONMENTAL AFFAIRS AND TOURISM · DEPT. VAN OMGEWINGSAKE EN TOERISME

Printed by and obtainable from the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001

Publications: Tel: (012) 334-4508, 334-4509, 334-4510

Advertisements: Tel: (012) 334-4673, 334-4674, 334-4504

Subscriptions: Tel: (012) 334-4735, 334-4736, 334-4737

Cape Town Branch: Tel: (021) 465-7531

Gedruk deur en verkrygbaar by die Staatsdrukker, Bosmanstraat, Privaatsak X85, Pretoria, 0001

Publikasies: Tel: (012) 334-4508, 334-4509, 334-4510

Advertensies: Tel: (012) 334-4673, 334-4674, 334-4504

Subskripsies: Tel: (012) 334-4735, 334-4736, 334-4737

Kaapstad-tak: Tel: (021) 465-7531