

NATIONAL CONSUMER COMMISSION

ANNUAL PERFORMANCE PLAN

2024/2025

VERSION CONTROL				
Version	Date	Revised by	Reason	Sections affected
V1	27/10/2023	J.V Selolo	New document	Whole document

Abbreviations and commonly used acronyms

CPA	-	Consumer Protection Act No. 68 of 2008
the dtic	-	Department of Trade, Industry, and Competition
CGSO	-	Consumer Goods and Services Ombud
CTFL	-	Clothing, Textile, Footwear and Leather goods
DPSA	-	Department of Public Service and Administration
HR	-	Human Resource/s
ICT	-	Information and Communications Technology
MIOSA	-	Motor Industry Ombud of South Africa
NCC	-	National Consumer Commission
NRCS	-	National Regulator for Compulsory Specifications
NCT	-	National Consumer Tribunal
OORS	-	Opt-Out Registry System
PFMA	-	Public Finance Management Act
SABS	-	South African Bureau of Standards

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Executive Authority Statement

We have developed new targets provided for the dtic Group, which each entity within the dtic Group will be requested to consider and as appropriate to its mandate and responsibilities, incorporate in its targets. These are set out in the Annex.

The Annual Performance Plan of the National Consumer Commission contained herein is approved for implementation from 1 April 2024, subject to the key performance indicators incorporating relevant targets from the Annex, in a revised Annual Performance Plan to be submitted by or before 9 April 2024.



Ebrahim Patel

Minister of Trade, Industry and Competition

Date: **28 March 2024**

Annex

Output targets within the dtic-group of public entities.

2024/25 APP Functional focus of outputs

Section: 12.1 Functional focus of outputs

Additional outputs (programmatic, enabling or responsive to immediate needs) have been included in the APP. The following tables indicate the functional focus of these outputs. Output numbering refers to the classification in the consolidated table, found in the APP. Pillar numbering refers to the section in dealing with the aims of industrial policy. Outcome numbers refer to: Industrialisation (1), Transformation (2) and Capable State (3) though it should be seen as indicative, as one Output intended to cover a single Outcome can and does have positive spillover-effects on the other Outcomes.

Number	Output	Pillar	Outcome
Output 1	R350 billion in investment pledges secured across the state	4	1
Output 23	100 Investor facilitation and unblocking interventions provided	4	1
Output 17	1 new SEZs application considered for designation	4	1,2

12.1.2 Industrial production

Number	Output	Pillar	Outcome
Output 2	R60 Billion in additional local output committed or achieved	2	1
Output 11	R 200 Billion in black industrialist output achieved	1	1,2

12.1.3 Exports

Number	Output	Pillar	Outcome
Output 3	R900 Billion in manufacturing exports	3	1
Output 4	R400 Billion in manufacturing exports to other African countries	3	1,2
Output 5	R9 Billion in exports of Global Business Services (GBS)	3	1
Output 27	20 Successful Export Interventions to support the implementation of the AfCFTA	3	1
Output 28	10 High impact trade interventions completed	3	1,3
Output 41	5 Finalisation of legal instruments under the AfCFTA (Tariff offers, Schedule of Commitments, Rules of Origin, Protocols and Annexes to protocols)	3	3

12.1.4 Industrial support

Number	Output	Pillar	Outcome
Output 6	R32 Billion in support programmes administered by or in partnership with the dtic-group	1	1,2,3
Output 7	R15 Billion support programmes to enterprises in areas outside the 5* main metros	1	1,2
Output 8	R8 Billion in financial support programmes and procurement contracts approved to SMMES, women and youth-empowered businesses	1	1

Number	Output	Pillar	Outcome
Output 9	R 8 Billion in financial support programmes to enterprises in labour absorbing sectors	1, 6	1
Output 43	1 Operationalization of an Adjudication process for incentive applications	1	1, 3

12.1.5 Transformation

Number	Output	Pillar	Outcome
Output 10	R 900 Million in Equity Equivalent Investment Programme agreements	1	1,2
Output 15	20 000 additional workers with shares in their companies	1	1
Output 16	10 High-impact outcomes on addressing market concentration through the implementation of market inquiry outcomes	1	1,2

12.1.6 Jobs

Number	Output	Pillar	Outcome
Output 12	1 Million jobs supported or covered by the dtic group and/ or master plans	6	2
Output 13	100 000 jobs to be created (50 000 social economy fund part-time or temporary job opportunities and 50 000 full-time jobs)	6	1,2
Output 14	160 000 jobs in Black Industrialists firms retained	1, 6	1,2

12.1.7 Energy

Number	Output	Pillar	Outcome
Output 18	R 1 Billion Support to enterprises including SMMEs to mitigate impact of load shedding by IDC and NEF	5	1,2
Output 19	1500 Megawatts of energy from projects facilitated	5	1,3
Output 20	550 Megawatts of energy available for the grid	5	1,3
Output 21	3 Projects successfully managed through the Energy One-Stop Shop	5	3
Output 22	2 Expedited regulatory amendments and flexibility, to promote energy efficiency	5	1,2,3

12.1.8 Green economy targets

Number	Output	Pillar	Outcome
Output 29	4 Interventions to respond to green trade barriers	5	1
Output 30	1 EV white paper implementation	5	1
Output 31	1 Green hydrogen commercialisation framework implementation	5	1

12.1.9 Stakeholder engagement and impacts

Number	Output	Pillar	Outcome
Output 25	9 Business Forums hosted aimed at supporting increased FDI, exports and outward investment hosted	1	1,2,3

Number	Output	Pillar	Outcome
Output 32	1000 Case studies of firms, workers, entrepreneurs, professionals or communities' impacted by the dtic measures; including 12 local films/documentaries telling the SA story	1	1
Output 33	Community outreach programmes by the dtic group in 10 districts	1	1,2,3
Output 37	2 Conferences, summits, and international forums hosted	1	1,2,3
Output 45	10 Successful actions completed on price monitoring and excessive pricing or price gouging or price restraint	1	1,2,3

12.1.10 Addressing crime

Number	Output	Pillar	Outcome
Output 24	Grey-listing: 2 Implementation of remedial actions by CIPC of the Financial Action Task Force (FATF) requirements to meet immediate outcome 5 (IO5) in South Africa's Action Plan	1	3
Output 42	1 Metal trading system implemented	1,5	1,2,3

12.1.11 Red tape and state capability targets

Number	Output	Pillar	Outcome
Output 39	9 Impact evaluations of dtic programme or sub-programmes	All	3
Output 40	5 High-impact measures to reduce red tape or improve turnaround times in administration of incentives and work of agencies		
Output 44	6 Impact assessments or enhancements of trade instruments or measures	2,3	1,2,3

12.1.12 Improving the capacity and responsiveness of the state and social partnership

Number	Output	Pillar	Outcome
Output 26	4 Pieces of priority legislation amended, tabled or submitted to Executive Authority, Cabinet or Parliament	All	1,2,3
Output 34	8 Master Plans managed	All	1,2,3
Output 35	Oversight of IDC, NEF and ECIC to ensure that at least 96% of planned KPIs are achieved	All	1,2,3
Output 36	3 Projects to assist industrial innovation and support firms	All	1,2,3
Output 38	50 Mergers and acquisitions where public interest conditions have been incorporated	All	1,2

Accounting Authority's Statement

I am pleased to present this Annual Performance Plan (APP) of the National Consumer Commission (“the NCC”). This plan details **the NCC's strategic goals that it has committed to**. The mandate of the NCC is to enforce the Consumer Protection Act (No. 68 of 2008) by ensuring that it protects, promotes, and advances the social and economic welfare of consumers, thus ensuring a fair marketplace for safe consumer goods and services.

1. *THE OVERALL FOCUS DURING THE PREVIOUS PLANNING PERIOD*

The overall focus for the previous period was to realise the following outcomes:

- Accessible and coherent consumer protection;
- To promote a fair marketplace;
- To promote the supply of safe goods to consumers;
- To support transformation of the economy by providing guidance to comply with the CPA
- To support industrialisation by combating illegal imports related to clothing, textile, footwear, and leather (CTFL).

The outcomes were underpinned by activities in the following strategic focus areas:

- Conducting education and awareness initiatives for consumers on their rights and the provision of the CPA;
- Communication of consumer protection activities through media engagement;
- Provision of business guidance on the provisions of the CPA to foster compliance;
- Monitoring the efficacy of the accredited ombud schemes;
- Monitoring and administration of product recalls;
- Investigation and enforcement of alleged prohibited conduct.

The NCC aligned its investigation, enforcement, education, and awareness interventions to contribute to the core outputs of the dtic.

2. *ACCOMPLISHMENTS IN THE PREVIOUS PERIOD*

2.1 Overall performance and good governance

The NCC has achieved 9 out of its 9 targets (100%) in the APP.

The NCC also obtained a clean audit opinion in 2022/2023 (the 4th since 2018/19) as a result of good corporate governance and prudent management.

2.2 Reputation Building

The NCC enjoyed good media coverage with a positive tone and improved on its strides to reach consumers and business by providing information through community radio stations and online platforms. The NCC participated in the following media activities: 173 radio interviews from various radio stations, with most interviews taking place around the World Consumer Rights Day (WRCD), 20 Television interviews, 168 online Media Coverage, 97 Radio Sound Bites, 116 Newspaper Articles, 17 Media Statements and 1 Opinion Piece.

The topics covered in the above media participation included product recalls (the L'Oréal Dark and Lovely, Mercedes Benz, Knorr-cup-a-soup, Purity's baby powder, and the Gizzu portable power supply), High court judgment in relation to Platinum Wheels, NCT's decision on Mike's Motors, My Droom Troue, Investment Scams, World Consumer Rights Day, the NCC's efforts in curbing the proliferation of non-compliant Clothing, Textile, Footwear and Leather goods, liquidation of Comair and other provisions of the CPA.

2.3 Consumer education and business guidance

The NCC conducted focused sessions for different consumers and businesses. 24 business guidance initiatives were conducted to guide small businesses on the provision of the CPA, to inculcate compliance.

60 in-person consumer education and awareness initiatives were conducted to cater to consumers in townships and rural areas

2.4 Investigations and enforcement

In the 2022/2023 financial year, 357 investigations were completed, and enforcement action was taken against 85 non-compliant suppliers.

The NCC, through its enforcement activities, obtained redress to consumers in the amount of R6 257 681.98, administrative fines in the amount of R381 000.00, and compliance notices, instructing importers of non-compliant CTFL to destroy or remove those goods from the African continent, in the amount of R21 630 941.58.

3. STRATEGIC FOCUS FOR THIS PERIOD

3.1 The Government has set key national priorities as espoused in the **Government's** overall mandate to the people of South Africa and the dtic and its entities have begun a process of adopting a revised output-driven planning system. In 2023/24, the dtic concluded this process by introducing 45 output targets, to which the NCC makes a critical contribution.

3.2 The following table sets out the 45 outcomes:

Table 1: dtic Outcomes

No.	Outcome	Output	Activity
1	Investment	1.1 R200 billion in investment pledges secured across the state	
		1.2 100 Investor facilitation and unblocking interventions provided	
		1.3 2 new SEZs designated and support work with provinces related to industrial parks	
2	Industrial production	2.1 R40 billion in additional local output committed or achieved	
		2.2 R40 billion in Black Industrialist output achieved	
3	Exports and trade	3.1 R700 billion in manufacturing exports	
		3.2 R300 billion in manufacturing exports to other African countries	
		3.3 R2.5 billion in exports of Global Business Services (GBS)	
		3.4 1 Implementation of the AfCFTA	
		3.5 10 High impact trade interventions completed	
		3.6 4 Protocols finalised under the AfCFTA	
4	Industrial support	4.1 R30 billion in support programmes administered by or in partnership with the dtic group	
		4.2 R15 billion support programmes to enterprises in areas outside the 5 main metros	

No.	Outcome	Output	Activity
		4.3 R8 billion in financial support programmes to SMMEs, and women and youth-empowered businesses	
		4.4 R7.5 billion in financial support programmes to enterprises in labour absorbing sectors	
		4.5 Promotion of a transparent and just adjudication process for incentive applications	
5	Transformation	5.1 R800 Million in Equity Equivalent Investment Programme agreements agreed or administered	
		5.2 20 000 additional workers with shares in their companies	
		5.3 10 high-impact outcomes on addressing market concentration, at sector or firm level.	
6	Jobs	6.1 1 million jobs supported or covered by Master Plans	
		6.2 100 000 jobs to be created (50 000 social economy fund part-time or temporary job opportunities and 50 000 full-time jobs)	
		6.3 23 000 jobs in Black Industrialists firms	
7	Energy	7.1 R1.3 billion in financial support to enterprises including SMMEs to mitigate impact of load shedding through energy resilience fund	
		7.2 1400 Megawatts of energy from projects facilitated	
		7.3 550 Megawatts of energy available for the grid	
		7.4 1 Energy One-stop Shop operational	
		7.5 Expedited regulatory amendments and flexibility, to promote energy efficiency	
8	Green Economy	8.1 1 Strategy and advocacy finalised responding to green non-tariff barriers (Carbon Border Adjustment Mechanism (CBAM)	
		8.2 1 EV Strategy finalised	
		8.3 1 Finalisation of green hydrogen commercialisation framework	

No.	Outcome	Output	Activity
9	Stakeholder engagement	9.1 10 Business Forums hosted aimed at supporting increased FDI, exports and outward investment.	
		9.2 1000 Case studies of firms, workers, entrepreneurs, professionals or communities impacted by the dtic measures: including 12 local films/documentaries telling the SA story	
		9.3 52 Community outreach programmes by the dtic group	
		9.4 5 Conferences, summits, and international forums hosted	
		9.5 10 Successful actions completed on price monitoring and excessive pricing or price gouging	
10	Addressing crime	10.1 Grey-listing: Publication of 'Know Your Shareholder' Regulations and Follow Ups	
		10.2 1 Metal trading system developed to identify stolen public infrastructure entering the scrap metal value-chain, export market or legitimate metal production industry	
11	Red tape and state capability targets	11.1 4 High-impact measures to improve the efficiency and/or effectiveness, of the dtic's policy or programme interventions.	
		11.2 10 High-impact measures to reduce red tape or improve turnaround times in administration of incentives and work of agencies	
		11.3 6 Impact assessments or enhancements of trade instruments or measures	
12	Improving the capacity and responsiveness of the state and social partnership	12.1 4 Pieces of priority legislation amended, tabled or submitted to Executive Authority, Cabinet or Parliament.	
		12.2 7 Master Plans managed and 1 new masterplan to be finalised.	
		12.3 Oversight of IDC, NEF and ECIC to ensure that at least 95% of planned KPIs are achieved	

No.	Outcome	Output	Activity
		12.4 Oversight of other entities to ensure that at least 95% of planned KPIs are achieved	
		12.5 50 Mergers and acquisitions where public interest conditions have been incorporated	

3.3 The NCC has aligned its work to meet these common objectives through the implementation of its governing legislation. The NCC will contribute to 6 outcomes with 9 outputs by implementing the following institutional programmes:

3.3.1. Industrial Production (the dtic Outcome 2)

In contributing towards “Driving R40 billion in additional local output committed or achieved”, the NCC will ensure that in its procurement of goods and services, that it supports locally produced goods.

3.3.2. Industrial support (the dtic Outcome 4)

The NCC will contribute to the “R8 billion in Financial Support Programmes to SMMEs, and Women and Youth – Empowered businesses” by providing education workshops to support SMMEs. This output will reflect the value of financial support provided by the Commission through its expenditure in education workshops to support SMMEs.

3.3.3. Jobs (the dtic Outcome 6)

The NCC will contribute to the dtic group’s intervention to “100 000 jobs to be created (50000 social economy fund part-time or temporary job opportunities and 50000 full-time jobs)” by maintaining its internship programme, thus creating an opportunity for young graduates to gain experience.

3.3.4. Energy (the dtic Outcome 7)

In contributing to the dtic group’s eight high-impact interventions to support the Energy Action Plan launched by the President; the NCC will contribute to “Measures to Protect Consumers and energy-users” by prioritising the investigations and further enforcement action against suppliers where there is possible violation related to unfair pricing where there is violation of “disclosure of price of goods and services” and non-compliance to mandatory standards for energy-efficient, renewables and backup products.

3.3.5. Stakeholder Engagement and Impacts (the dtic Outcome 9)

When the Commission discharges its mandate, it strives to make an impact on the lives of individuals and segments of consumers. In this period, **the Commission will contribute to the “1000 Case studies of firms, workers, entrepreneurs, professionals or communities impacted by the dtic measures; including 12 local films/documentaries telling the SA story” by documenting** and reporting on those that the NCC perceive as impactful interventions.

3.3.6. Improving the Capacity and Responsiveness of the State and Social Partnership (the dtic Outcome 12)

The NCC will contribute to **output 12.2 being “7 Master Plans managed”**. The NCC, through its enforcement mandate, will give effect to the commitment made in the R-CTFL **Master Plan which seeks to “Stem the flow of illegal imports”** by prioritising the investigation and prosecution of the suppliers whose conduct violate the labelling requirements of the CPA.

The Commission will also contribute to *Improving the Capacity and Responsiveness of the State and Social Partnership* by performing its oversight responsibilities of monitoring the effectiveness of the accredited ombuds schemes (Consumer Goods & Services Ombud and the Motor Industry Ombud of South Africa) and strive to ensure that achieves at least 95% of its KPIs.

3.4 To achieve the above in relation to the enforcement of the CPA, the NCC is in the process of implementing the following institutional programmes:

3.4.1. Administration

Purpose:

- i) To provide support to the NCC to ensure that the appropriate technology architecture, electronic communications channels and other associated information resources and services are available to ensure that the NCC can operate efficiently and securely.
- ii) To document, measure, and highlight the impact the NCC has on the consumer protection landscape.

iii) This programme contributes to the dtic Outcomes 2, 4, 6 and 9.

3.4.2. *Education and awareness*

Purpose:

- i. To educate consumers about their consumer rights and to educate businesses about their obligations
- ii. This programme contributes to the dtic Outcomes 9.

3.4.3. *Curb prohibited conduct*

Purpose:

- i) To ensure that prohibited conduct is detected and curbed; those engaged in prohibited conduct are chastised, and consumers that suffered harm get redress.
- ii) This programme contributes to the dtic Outcomes 7, 9 and 12.

ACKNOWLEDGMENTS AND APPRECIATION

I thank the management, especially the team responsible for governance, and the entire NCC staff for their dedication and effort throughout the year. It was a trying period when they were called upon to give their all in **fulfilling the NCC's mandate when there was no hope for cost-of-living-adjustment** in relation to remuneration. they remained committed to the tasks at hand.

I also thank the Audit & Risk Committee members and the Internal and External Auditors for the support and guidance provided. I express my gratitude to the DDG: CCRB, Dr Masotja for her support; Deputy Minister Gina for championing the course of consumer protection; Honourable Minister Patel (dtic) and Portfolio Committee on Trade, Industry and Competition for their guidance and support.



Ms. Thezi Mabuza (Acting Commissioner)

Official Sign Off

It is hereby certified that this annual performance plan:

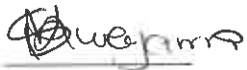
- Was developed by the management of the NCC under the guidance of the Executive Authority;
- Takes into account all the relevant policies, legislation, and other mandates for which the NCC is responsible; and
- Accurately reflects the impact, strategic outcomes and outputs which the NCC will endeavour to achieve over the period from 1 April 2024 to 31 March 2025.


Mr L Nhlapo
Acting Chief Financial Officer

04 March 2024
Date


Ms P Moilwa
Divisional Head: Complaints and Investigations

04/03/2024
Date


Ms P Kweyama
Divisional Head: Education and Advocacy


04/03/2024
Date


Mr J Mbeje
Divisional Head: Enforcement and Legal Services

04/03/2024
Date


Mr J. Selolo
Company Secretary

04/03/2024
Date


Ms T Mabuza
Accounting Authority

04/03/2024
Date

Our Mandate

A gavel with a wooden head and a metal handle rests on a wooden surface. To its right is a white book with the words 'CONSUMER PROTECTION' printed on its cover in a serif font. A faint icon of a scale of justice is visible on the right side of the book cover.

CONSUMER
PROTECTION

Part A

The NCC derives its
mandate from Section 85
of the CPA

1. Updates to relevant legislative and policy mandates
 - 1.1 The CPA aims to promote and advance the social and economic welfare of consumers by:
 - 1.1.1 Establishing a legal framework for the achievement of a fair, accessible, responsible and sustainable market;
 - 1.1.2 Reducing any disadvantages experienced in accessing the supply of goods and services by low income, low literacy, rural and vulnerable consumers;
 - 1.1.3 Promoting fair business practices;
 - 1.1.4 Protecting consumers from unfair and deceptive conduct;
 - 1.1.5 Improving consumer awareness; and
 - 1.1.6 Providing for an accessible, efficient and effective system of redress.
 - 1.2 The CPA applies to:
 - 1.2.1 Suppliers (for-profit or non-profit) that promote or supply goods or services to consumers across all sectors of the economy, unless exempted;
 - 1.2.2 Government institutions or any entity contracted by the state to provide goods or services to consumers;
 - 1.2.3 Franchise offers, solicitations and agreements; and
 - 1.2.4 Any business-to-business transaction subject to a stipulated two-million-rand turnover per annum threshold.
 - 1.3 The main functions of the NCC are to:
 - 1.3.1 Improve consumer protection through education and awareness interventions.
 - 1.3.2 Improve compliance with the CPA through business guidance interventions.

- 1.3.3 Receive complaints concerning alleged prohibited conduct and deal with them as prescribed by the provisions of the CPA.
 - 1.3.4 Monitor the consumer goods and services market to prevent, detect and/ or prosecute contraventions.
 - 1.3.5 Conduct investigations against suppliers allegedly engaging in prohibited conduct.
 - 1.3.6 Issue and enforce compliance notices.
 - 1.3.7 Negotiate and conclude undertakings and consent orders.
 - 1.3.8 Refer any concerns regarding market share, anti-competitive behaviour or conduct that may be prohibited in terms of the Competition Act to the Competition Commission;
 - 1.3.9 Refer alleged offences in terms of the CPA to the National Prosecuting Authority; and
 - 1.3.10 Refer matters to the NCT and appear before the NCT.
2. Updates to institutional policies and strategies
 - 2.1 Strategic focus for the five-year planning period
 - 2.1.1 For this current administration, the government has set seven national priorities listed below:
 - i) Economic Transformation and Job Creation
 - ii) Education, Skills and Health
 - iii) Consolidating the Social Wage through Reliable and Quality Basic Services
 - iv) Spatial Integration, Human Settlements and Local Government
 - v) Social Cohesion and Safe Communities
 - vi) A Capable, Ethical and Developmental State

vii) A better Africa and World

2.1.2 The NCC as an organ of state, has also aligned to Government's key national priorities as espoused in the government's overall mandate to the people of South Africa. The NCC's work as per its legislative mandate contributes to priorities 1, 6 and 7.

2.1.3 In addition, government has developed an Economic Reconstruction and Recovery Plan in 2020, aimed at stimulating equitable and inclusive growth. To support economic reconstruction and recovery, through its enforcement activities, the NCC has realigned its APP to **the dtic's** new high impact-based and outcome focussed approach to show the impact of use of public resources allocated to the Commission to deliver on its mandate.

2.1.4 The NCC will contribute to the three shared outcomes introduced in 2022 by the dtic to contribute to the consolidated efforts of the dtic group to increase implementation efficiencies. These shared apex outcomes are Industrialisation, Transformation, and the building of a Capable State.

2.1.5 The apex outcomes that the dtic group strive to achieve are divided into six pillars with 45 outcomes that were clustered into 12 functional areas to make real impact to the lives of citizens. To contribute to these 12 functional areas, the NCC will contribute to 6 outputs with 9 outcomes, which are:

i. Industrial Production (the dtic Outcome 2)

In contributing towards "*Driving R40 billion in additional local output committed or achieved*", the NCC will ensure that in its procurement of goods and services, that it supports locally produced goods.

ii. Industrial support (the dtic Outcome 4)

The NCC will contribute to the "*R8 billion in Financial Support Programmes to SMMEs, and Women and Youth – Empowered businesses*" by **providing** education workshops to support SMMEs. This output will reflect the value of financial support provided by the Commission through its expenditure in education workshops to support SMMEs.

iii. Jobs (the dtic Outcome 6)

The NCC will contribute to **the dtic group's** intervention to *"100 000 jobs to be created (50000 social economy fund part-time or temporary job opportunities and 50000 full-time jobs)"* by maintaining its internship programme, thus creating an opportunity for young graduates to gain experience.

iv. Energy (the dtic Outcome 7)

In contributing to the dtic **group's** eight high-impact interventions to support the Energy Action Plan launched by **the President; the NCC will contribute to** *"Measures to Protect Consumers and energy-users"* by **prioritising the** investigations and further enforcement action against suppliers where there is possible violation related to unfair pricing **where there is violation of** *"disclosure of price of goods and services"* and non-compliance to mandatory standards for energy-efficient, renewables and backup products.

v. Stakeholder Engagement and Impacts (the dtic Outcome 9)

When the Commission discharges its mandate, it strives to make an impact on the lives of individuals and segments of consumers. In this period, **the Commission will contribute to the** *"1000 Case studies of firms, workers, entrepreneurs, professionals or communities impacted by the dtic measures; including 12 local films/documentaries telling the SA story"* **by documenting** and reporting on those that the NCC perceive as impactful interventions.

vi. Improving the Capacity and Responsiveness of the State and Social Partnership (the dtic Outcome 12)

The NCC will contribute to **output 12.2 being** *"7 Master Plans managed"*. The NCC, through its enforcement mandate, will give effect to the commitment made in the R-CTFL **Master Plan which seeks to** *"Stem the flow of illegal imports"* by prioritising the investigation and prosecution of the suppliers whose conduct violate the labelling requirements of the CPA.

The Commission will also contribute to *Improving the Capacity and Responsiveness of the State and Social Partnership* by performing its oversight responsibilities of monitoring the effectiveness of the accredited ombuds schemes (Consumer Goods & Services Ombud and the Motor Industry Ombud of South Africa) and strive to ensure that achieves at least 95% of its KPIs.

2.2 To achieve the above in relation to the enforcement of the CPA, the NCC is in the process of implementing the following institutional programmes:

2.2.1. *Administration*

Purpose:

- i) To provide support to the NCC to ensure that the appropriate technology architecture, electronic communications channels and other associated information resources and services are available to ensure that the NCC can operate efficiently and securely.
- ii) To document, measure, and highlight the impact the NCC has on the consumer protection landscape.
- iii) This programme contributes to the dtic Outcomes 2, 4, 6 and 9.

2.2.2. *Education and awareness*

Purpose:

- i. To educate consumers about their consumer rights and to educate businesses about their obligations.
- ii. This programme contributes to the dtic Outcomes 9.

2.2.3. *Curb prohibited conduct.*

Purpose:

- i) To ensure that prohibited conduct is detected and curbed; those engaged in prohibited conduct are chastised, and consumers that suffered harm get redress.
- ii) This programme contributes to the dtic Outcomes 7, 9 and 12.

3. Updates to Relevant Court Rulings

The NCC appraises the rulings and decisions of the High Courts and the NCT regularly. The likely impact of these decisions is considered when crafting our strategic plans. A summary of recent court decisions and rulings is provided in the following page:

Table 2: Update to relevant court rulings

No.	Matter Name	Court & Case reference number	Legal issues and status
1.	Soulever Wellness V NCC	NCT/159598/2020/101(1)	<p>NATURE OF MATTER: This was an application for review of a Compliance Notice. The Importer had Imported Goods stating, “made in South Africa” and the NCC issued a Compliance Notice stating that the Importer has, amongst others, contravened Section 24(2)(a) read with Regulation 6(1)(b):</p> <p>RULING: The NCT held that there is no evidence that the Importer knowingly applied the incorrect labels, and that Section 24(2) (a) requires knowledge with intention to mislead. The Compliance Notice was set aside.</p> <p>GUIDANCE: In the future, the NCC should rely on Section 24(5) and Regulation 6(1) (e) which relates to incorrect information, and which does not need <i>mens rea</i>.</p>
2.	NCC V National Auto Brokers	NCT/172929/2020/73(3)	<p>NATURE OF THE MATTER: This was an Application in terms of Section 73(2) (b) for alleged contravention of Section 56(2)(a).</p> <p>PRINCIPLE FOR DETERMINATION: The matter was referred to the Tribunal more than 3 years after the cause of the complaint. The NCT mero muto raised the issue of prescription. This was the first matter that came up for determination following the Ludick decision.</p> <p>RULING: The NCT ruled that the matter has prescribed.</p> <p>GUIDANCE: The NCC is urged to be conscious of time frames and Section 116 and to avoid referring matters where the issue will arise. It is advisable to write the prescription date on the file cover.</p>



No.	Matter Name	Court & Case reference number	Legal issues and status
3.	NCC V Brilliant Autoworx	NCT-194166-2021-73(2)(b)	<p>NATURE OF THE MATTER: This is an Application in terms of Section 73(2)(b) of the CPA alleging contravention of Section 19(2)(a)(i) and 54(1)(a) of the CPA.</p> <p>ISSUES FOR DETERMINATION: The Consumer took his motor vehicle to the Respondent for repairs after it was involved in an accident. The Respondent failed to repair the Motor Vehicle despite receiving payment from the Consumer.</p> <p>RULING: The NCT ruled in favour of the NCC finding that the Supplier has contravened 19(2)(a)(i) and 54(1)(a) of the CPA.</p> <p>GUIDANCE: This is a good ruling for the NCC. However, the supplier has failed to comply with the order, and it is not clear if the supplier still exists. This indicates the challenge that the NCC will continue to have in similar matters as it is easy for the suppliers to abandon the business and to start a similar business under a new name.</p> <p>The supplier can't be traced at present.</p>
4.	NCC V Ismacube	NCT/138658/2020/73(2)(b)	<p>NATURE OF THE MATTER: This is an Application in terms of Section 73(2) (b) of the CPA arising from the supply of speculative software. The NCC sought orders for contravention of various provisions of the CPA.</p> <p>ISSUES FOR DETERMINATION: The matter was originally opposed, and the supplier raised various legal issues.</p> <p>RULING: The matter was decided in favour of the NCC, and the supplier was found to have contravened Sections 16(3) read with section 20(2)(a); Section 16(4)(b); and Section 48(1) and 48(2).</p> <p>GUIDANCE: This is a good ruling for the NCC. However, the supplier has failed to comply with the order, and it is not clear if the supplier still exists. This indicates the challenge that the NCC will continue to have in similar matters</p>



No.	Matter Name	Court & Case reference number	Legal issues and status
			as it is easy for the suppliers to abandon the business and to start a similar business under a new name. The supplier can't be traced at present.
5.	NCC V Selina Sandra Kasner	NCT/176450/2021/100(6)(a)	<p>NATURE OF THE MATTER: This is an Application in terms of Section 100(6) for failure to comply with a Compliance Notice</p> <p>ISSUES: The Importer admitted non-compliance with the Compliance Notice but prayed for leniency.</p> <p>RULING: An Administrative fine of R 10 000,00 was imposed upon the Importer.</p> <p>GUIDANCE: This matter was a breakthrough matter and created a precedent as there is a few Importers that do not comply once they receive a PAJA letter. The challenge is that in most noncomplying importers, the NCC do not have their contact details, and the NCC only has the agent's details. The agents will then advise that the Importer is no longer responding, and they are no longer involved in the matter. The Importer Authorisation form needs to be amended to contain the full importer address, contact person and contact details.</p>
6.	NCC V Titan Trade Auto	NCT/183856/2021/73(2)(b)	<p>NATURE OF THE MATTER: This is an Application in terms of Section 73 (2) (b) for an order in terms of Section 56(2) (b).</p> <p>ISSUES FOR DETERMINATION: The Supplier raised a <i>point in limine</i> of prescription as the cause of complaint arose more than 3 years prior to the referral.</p> <p>RULING: The Consumer returned the Motor Vehicle to the supplier timeously and demanded a refund that was refused. The NCT ruled that the refusal was ongoing, and the matter has not prescribed.</p> <p>GUIDANCE: The supplier has applied for a review of the NCT decision, and the matter is pending. The NCC has had to deal with a lot of prescription matters with contrasting results. It is urged that everyone be mindful of prescription and that the issue of prescription be avoided.</p>



No.	Matter Name	Court & Case reference number	Legal issues and status
7.	NCC V Jida Auto Investments	NCT/158339/2020/73(2)(b)	<p>NATURE OF THE MATTER: This is an Application in terms of Section 73 (2) (b) for an order in terms of Section 56(2) (b) (refund of the Purchase Price).</p> <p>ISSUES FOR DETERMINATION: The Supplier raised several <i>points in limine</i>, including one of prescription as the cause of complaint arose more than 3 years prior to the referral. The NCC argued that the cause of action arose less than 3 years prior to the referral of the matter, alternatively, the cause of the complaint constitutes continuing conduct.</p> <p>RULING: The NCT ruled that the consumer had elected a replacement and not a refund, and that the matter fell within Section 56(2) (a) and not 56(2) (b). The Applicant has not made out a case for continuing conduct in respect of section 56 (2)(a) of the CPA, and the Respondent has not been afforded the opportunity to specifically answer any allegation that it contravened section 56 (2)(a) of the CPA. In the circumstances, it would not be appropriate for the NCT to make a finding on whether the refusal to replace the vehicle took place and whether it constitutes continuing conduct.</p> <p>GUIDANCE: It is urged that the report should clearly reflect the following: (1) What was the Consumer's election and when; (2) What is the exact cause of the complaint; (3) When did the cause of the complaint arise</p>
8.	NCC V The Turbo Man CC	NCT/174555/2020/73(2)(b)	<p>NATURE OF THE MATTER: This was an application for contravention of section 26(2) and (3) and section 56 (3) of the CPA in that three consumers took their vehicles for repairs but after collecting those vehicles, initial and further defects were then discovered. However, the consumer took almost two years to report the matter at MOISA, resulting in two of those matters having been referred to the NCT after 3 years has lapsed.</p> <p>PRINCIPLE: Whether the referral of the matter to MIOSA interrupts prescription in terms of section 116 of the CPA</p>



No.	Matter Name	Court & Case reference number	Legal issues and status
			<p>RULING: NCT rules that previously it has held on various matters that such referral interrupts prescription in terms of section 116 of the CPA, but since the decision of the High Court where it was held that there is no provision in the CPA that deals with interruption of prescription therefore if a matter is referred to the NCT after the lapse of three years from the date of the cause of action complained about, the NCT is barred from entertaining that matter.</p> <p>GUIDANCE: Consumers need to be informed by way of explanatory notes about prescription and the issue of when it starts to run, due to previous decisions of the NCT that have been overruled by the High Court</p>
9.	NCC V Boats Cape Town	NCT/178143/2021/73(2)	<p>NATURE OF THE MATTER: This is an application that was brought against the Respondent for having failed to disclose that he was acting as an intermediary when selling a Ski Boat to the consumer and he received certain fees for such. The Respondent's defence is that the consumer knew that he was not an owner and therefore acting as an intermediary.</p> <p>PRINCIPLE: The mere fact that you are selling goods on behalf of the owner for a financial consideration does not exclude you from being bound by the provisions of section 27(1) read with Regulation 9 of the CPA.</p> <p>RULING: The NCT ruled in favour of the NCC that mere disclosure that a person is selling goods on behalf of the owner is not sufficient, but the intermediary must also disclose all fees that he/she will receive because of selling such goods.</p> <p>GUIDANCE: If an intermediary who sell goods and receives any monetary consideration for selling such goods whilst not employed by the owner of goods, such intermediary required to comply with section 27(1) read with Regulation 9 of the CPA.</p>



No.	Matter Name	Court & Case reference number	Legal issues and status
10.	Barnado v NCC & others	High Court, Gauteng Division- Case NO: 47933/17	<p>NATURE OF THE MATTER: The NCC delayed the finalization of investigation in this matter which led to the consumer asking for the High Court to compel the NCC to finalize the report and take necessary action to protect the rights of a consumer.</p> <p>PRINCIPLE: The High Court found that the delay in the finalization of an investigation and action being taken to protect the rights of the consumer was not in the spirit and the purpose of the CPA and ordered the NCC to pay the costs of the application jointly and severally with the supplier.</p> <p>GUIDANCE: Investigation and enforcement of outcome of the investigation report must be done speedily to promote the spirit and purpose of the CPA, failing which, there is a risk of court order being granted against the NCC.</p>
11.	NCC V Auto Basic Traders	NCT/171786/2020/73(2)(b)	<p>NATURE OF THE MATTER: The consumer was claiming a refund of the purchase price of the vehicle, in the sum of R199 992, and to be reimbursed for the costs of the extended warranty because the second vehicle she purchased from the supplier broke down two days after the date of delivery and later broke down again few days after having been repaired. The supplier refused to refund the purchase price and repaired the vehicle after cancellation and offer it back to the consumer. The supplier also raised a defence that it was a second-hand vehicle and certain contract terms renders the supplier not liable, even to refund the purchase price.</p> <p>APPLICABLE SECTION OF CPA: Section 55 (2) (b) read with section 56 (3) relating to right of the consumer to safe, good quality goods.</p> <p>PRINCIPLE: It was held the mere fact that the vehicle broke down after 2 days and few days after it had been repaired renders it not safe for the purpose for which it was bought. It was also held that for the Respondent to</p>



No.	Matter Name	Court & Case reference number	Legal issues and status
			<p>rely on exclusion of liability in terms of section 55 (6) the consumer must be specifically informed of the defect. Respondent's argument that it was latent and that's why the consumer was not specifically informed thereof, makes consumer's version more convincing.</p> <p>RULING: The supplier was ordered to refund the purchase price with interest as from the date of cancellation and refund the costs of the warranty.</p> <p>GUIDANCE: Where a vehicle is purchased as a second hand and the contract contains clauses that makes the supplier not liable for any defect, such clause is not applicable without the consumer having been specifically informed of existing defect at the time of purchasing the vehicle but elected to buy the vehicle with such defects.</p>
12.	NCC V Kempster Sedgwick t/a CMH Used Cars	NCT/210256/2021/73(2)(b)	<p>NATURE OF THE MATTER: In this matter the consumer bought a second-hand Mercedes Benz motor vehicle fitted with tyres that are not recommended by Mercedes Benz (i.e., run flat tyres and no spare wheel was provided because such cars are designed not to have a spare wheel. The NCT agreed with the NCC that the supplier was in breach of section 55 (2) in that the vehicle was not suitable for the purpose for which it was designed for (i.e to be driven even in dangerous areas because if the tyre is poked by a sharp object whilst being driven in a dangerous area, the driver won't be able to drive such vehicle until he/she reaches a garage/safe area. The supplier was ordered to replace the fitted tyres with run flat tyres.</p> <p>APPLICABLE SECTION of the CPA: Interpretation of section 55 (2) of the CPA i.e. right to safe and good quality goods.</p> <p>PRINCIPLE: When applying the provisions of section 55 (2) one must look at how the defect will limit the purpose for which the goods are generally intended for. One need not only consider whether the defect goes to the heart of</p>



No.	Matter Name	Court & Case reference number	Legal issues and status
			<p>the purpose for which the vehicle is generally used (i.e., means of transport) but also consider the extent of harm which the defect can cause.</p> <p>GUIDANCE: Each case should be assessed on its own merits, where the assessor is not sure, advice should be obtained from legal services.</p>
13.	NCC vs BNA Motors (Pty) Ltd	NCT/269487/2023/73(2)(b)	<p>NATURE OF THE MATTER: In this matter, the consumer enquired about a 2012 Volkswagen Polo Comfortline (the vehicle) offered for sale by the respondent. The respondent’s salesperson, Carrey Manuel, advised the consumer that the vehicle sale price was R160 000.00, and it had travelled 145 000 km. Five days after taking delivery of the vehicle, the consumer returned it to the respondent due to an expired licence disc. consumer also discovered that the vehicle had electrical and mechanical issues. The consumer cancelled the sale and requested a refund for the purchase price.</p> <p>APPLICABLE SECTION of the CPA: Sections 29 (1) (a) and (c), 41 (1) (a) and (c), and 56 (2) (a) and (b).</p> <p>RULING: The respondent was ordered to refund the consumer, the purchase price of R160 000.00 and to pay the Admin fine in the amount of R100 000.00.</p>
14.	NCC vs ACS Pre Owned (Pty) Ltd	NCT/222616/2022/73(2)(b)	<p>NATURE OF THE MATTER: The consumer purchased a second-hand 2017 Mercedes Benz E200 (“the vehicle”) for the amount of R589 900.00 (five hundred and eighty-nine thousand and nine hundred rands). The Respondent delivered the vehicle at the complainant’s place of residence close to midnight on the 13th of July 2020 with an odometer reading of 41 400 kilometres. The vehicle manifested symptoms of various defects the next day. The</p>



No.	Matter Name	Court & Case reference number	Legal issues and status
			<p>consumer requested the supplier to collect the vehicle to effect repairs. The supplier refused to collect the vehicle from the consumer.</p> <p>APPLICABLE SECTION OF CPA: Section 55 (2)(a-d) read with section 56 (2) relating to right of the consumer to safe, good quality goods.</p> <p>PRINCIPLE: It was held the mere fact that the vehicle broke down a day after it was delivered, did not satisfy the requirements of section 55 (2), because the vehicle was not suitable for its intended purpose; was neither of good quality nor in good working order and free of defects; and 'plainly' not safe and usable for a reasonable time.</p> <p>RULING: The supplier was ordered to refund the amount of R589 900.00.</p>
15.	NCC vs Headzone Workshop (Pty) Ltd; Headzone (Pty) Ltd; Wicked Cars (Pty) Ltd	NCT/246932/2022/73(2)(b)	<p>NATURE OF THE MATTER: The consumer contacted Wicked Cars, who incorrectly introduced himself to the consumer as the new workshop manager of Headzone who agreed to assess and repair the vehicle. Wicked Cars disassembled the vehicle without the consumer's permission and later acknowledged that such disassembling was a mistake. Wicked Cars subsequently completed the reassembly and issued an invoice of R47,000.00. The consumer refused to make the payment. According to Wicked Cars, the consumer had abandoned the vehicle, and they subsequently issued an invoice for storage of R43,800.00. As the consumer refused to pay either invoice or failed to collect the vehicle, Wicked Cars sold the vehicle.</p> <p>APPLICABLE SECTION OF CPA: Section 15 (2) (a) and (b) outlines that a service provider must not charge a consumer for the supply of any goods or services contemplated in subsection (1) unless—(a) the supplier or service provider has given the consumer an estimate that satisfies the prescribed requirements, and the consumer has subsequently authorised the work; or (b) the consumer, in writing or by another recorded manner or form, has— (i)</p>



No.	Matter Name	Court & Case reference number	Legal issues and status
			<p>declined the offer of an estimate and authorised the work; or (ii) pre-authorised any charges up to a specified maximum, and the amount charged does not exceed that maximum.</p> <p>Section 21 (1) (e) and 21 (8) outlines that goods or services are unsolicited if any goods have been delivered to, or any services performed for, a consumer by or on behalf of a supplier without the consumer having expressly or implicitly requested the goods or services.</p> <p>PRINCIPLE: Wicked Cars did not provide the consumer with an estimate but issued only an invoice after the services were provided and after the consumer had started the complaints process.</p> <p>RULING: The supplier was ordered to pay R81,900.00 to the consumer and R200 000.00 administrative fine.</p>
16.	NCC vs VODACOM (Pty) Ltd	CT/260497/2023/73(2)(b)	<p>NATURE OF THE MATTER: NCC received and investigated complaints of consumers alleging that Vodacom has denied consumers the right to cancel their fixed-term contracts by imposing a cancellation penalty of 75%, Vodacom required payment of all outstanding fees and the cancellation penalty before contracts were terminated on request. Consumers further alleged that they were coerced to sign the acceptance quotation letter (that was valid for 12 days) and return the letter to Vodacom with proof of payment in order to cancel their contracts..</p> <p>APPLICABLE SECTION OF CPA: Vodacom contravened the following sections of the CPA:</p> <ul style="list-style-type: none"> • 14 (3) read with regulation 5 • 14 (3) (b) (i) (bb) • 14 (2) (b) & (c) • 29 (b) (i) (ii) and • 40(1) (b) and (d)



No.	Matter Name	Court & Case reference number	Legal issues and status
			<p>GUIDANCE: in determining the cost of cancelling a fixed term contract, each case should be assessed on its own merits and should not be prohibitive to negate the consumer's right to cancel that contract.</p> <p>RULING: Vodacom's conduct was declared unconscionable and prohibited, and was ordered to pay an administrative fine of R1 million.</p>



Measuring Our Performance

Part C

Fair business practices;
improved safety and quality of
consumer goods and services

4. Institutional Performance Information

4.1 Programme 1: Administration

4.1.1 Purpose: this programme contributes to the dtic Outcomes 40 and 32. Its purpose is to:

- i) To provide support to the NCC to ensure that the appropriate technology architecture, electronic communications channels and other associated information resources and services are available to ensure that the NCC can operate efficiently and securely.
- ii) To document, measure, and highlight the impact the NCC has on the consumer protection landscape and the socio-economic welfare of consumers.

4.1.2 Outcomes, outputs, output indicators, and targets

Table 3 Programme 1: Mtef targets

Outcome	No	Output	Output Indicators	Audited/ Actual Performance			Estimated Performance	MTEF Period		
				2020/21	2021/22	2022/23		2023/24	2024/25	2025/26
Improved turn-around times in the	1.	Available complaints handling e-Service System and Website	Percentage of availability of complaints handling e-	New indicator	New indicator	New indicator	New indicator	95% availability for complaints handling e-Service	95% availability for complaints handling e-	95% availability for complaints handling e-



administration of complaints			Service System and Website					System and Website	Service System and Website	Service System and Website
Services rendered by NCC positively impact the socio-economic welfare of consumers	2.	Documented cases of NCC's impact	Number of documented cases of impact by the NCC activities	New indicator	New indicator	New indicator	50 documented cases of impact by the NCC activities	60 documented cases of impact by the NCC activities	70 documented cases of impact by the NCC activities	80 documented cases of impact by the NCC activities

4.1.3 Output indicators: Annual and quarterly targets

Table 4: programme1: Annual and quarterly targets

Output Indicators	Annual Target	Q1	Q2	Q3	Q4
Available complaints handling e-Service System and Website	95% availability for complaints handling e-	95% availability for complaints handling e-	95% availability for complaints handling e-	95% availability for complaints handling e-	95% availability for complaints handling e-

Output Indicators	Annual Target	Q1	Q2	Q3	Q4
	Service System and Website	Service System and Website	Service System and Website	Service System and Website	Service System and Website
Documented cases of NCC's impact	60 documented cases of impact by the NCC activities	15 documented cases of impact by the NCC activities	20 documented cases of impact by the NCC activities	15 documented cases of impact by the NCC activities	10 documented cases of impact by the NCC activities

4.1.4 Explanation of planned performance over the five-year planning period

i) Available complaints handling e-Service System and Website

The planned performance is aimed at providing support to the NCC to ensure that the appropriate technology architecture, electronic communications channels and other associated information resources and services are available to ensure that the NCC can operate efficiently and securely.

ii) Documented cases of NCC impact

The planned performance is designed to document, measure, and highlight the impact the NCC has on the consumer protection landscape and make a positive contribution to the socio-economic welfare of consumers who suffered detriment. Cases such as where the NCC obtains redress for consumers, cases where the NCC obtains administrative fines against non-compliant suppliers and instances where the NCC shuts down pyramid, fraudulent and ponzi schemes to prevent possible economic losses to South Africans; will be documented.

4.1.5 Programme resource considerations

Table 5 resource consideration: Administration

Economic Classification	Programme 1						
	Expenditure Outcome		Adjusted Appropriation	Medium-Term Expenditure Estimate			
	2020/21	2021/22	2022/23	2024/25	2024/25	2025/2026	2026/2027
Compensation of employees	-	-	9,882,375.66	9,882,375.66	9,882,375.66	9,882,375.66	9,882,375.66
Goods & Services	-	-	152,860.00	158,974.40	165,333.38	171,946.71	171,946.71
Totals	-	-	10,035,235.66	10,041,350.06	10,047,709.04	10,054,322.37	10,054,322.37

4.2 Programme 2: Education and Awareness

4.2.1 Purpose: This programme contributes to the dtic Output 33. The purpose is to educate consumers about their consumer rights and to educate businesses about their obligations.

4.2.2 Outcomes, outputs, output indicators, and targets



Table 6 Programme 2: Mtef targets

Outcome	No	Output	Output Indicators	Audited/Actual Performance			Estimated Performance	MTEF Period		
				2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/2027
Public awareness of the provisions of the CPA	3.	Consumer education and awareness programmes conducted	Number of Consumer education and awareness programmes conducted	Achieved 24 Consumer Awareness initiatives conducted	Achieved 27 Consumer awareness initiatives conducted	Achieved 43 Consumer Awareness initiatives conducted.	76 Consumer Education and Awareness Programmes conducted.	384 consumer Education and awareness programmes conducted.	400 consumer Education and Awareness programmes conducted.	420 consumer Education and Awareness programmes conducted.
Business awareness of the provisions of the CPA	4.	Business Education programmes conducted	Number of business education conducted	-	-	-	22 business education programmes conducted.	30 business education programmes conducted.	40 business education programmes conducted.	50 business education programmes conducted.

4.2.3 Output indicators: Annual and quarterly targets

Table 7: Programme 2: Annual & quarterly targets

Output Indicators	Annual Target	Q1	Q2	Q3	Q4
Number of Consumer education and awareness programmes conducted	384 consumer education and awareness programmes conducted	100 consumer education and awareness programmes conducted	100 consumer education and awareness programmes conducted	92 consumer education and awareness programmes conducted	92 consumer education and awareness programmes conducted
Number of business education conducted	30 business education programmes conducted.	10 business education programmes conducted.	10 business education programmes conducted.	5 business education programmes conducted.	5 business education programmes conducted.

4.2.4 Explanation of planned performance over the five-year planning period

i) Public awareness of the provisions of the CPA

Consumer education and awareness programmes are conducted to empower consumers to demand quality goods and services and enforce their rights. In addition, consumers are made aware of the negative consequences of harmful practices. These programmes will be conducted through various media platform, including but not limited to, TV and radio interviews, advertisements on radio and TV, postings on NCC social media pages, NCC website, print media , media statements/press release and workshops (in person and virtual).

ii) Business awareness of the provisions of the CPA



Business guidance programmes are designed to educate businesses about their obligations in terms of the CPA, thus focussing on preventing harm to consumers and change business practises that are harmful to consumers. These programmes will be conducted through various media platform, including but not limited to, TV and radio interviews, advertisements on radio and TV, postings on NCC social media pages, NCC website, print media, seminars, media statements/press release and workshops (in person and virtual).

4.2.5 Programme resource considerations

Table 8: programme 2: Resource considerations

Economic Classification	Public awareness of the provisions of the CPA						
	Expenditure Outcome		Adjusted Appropriation	Medium-Term Expenditure Estimate			
	2020/21	2021/22	2022/23	2023/245	2024/25	2025/2026	2026/2027
Compensation of employees	-	-	4,723,315.88	4,723,315.88	4,723,315.88	4,723,315.88	4,723,315.88
Goods & Services	-	-	2,248,700.00	2,338,648.00	2,432,193.92	2,529,481.68	2,529,481.68
Totals	-	-	6,972,015.88	7,061,963.88	7,155,509.80	7,252,797.56	7,252,797.56

4.3 Programme 3: Promote the supply of Safe Goods

4.3.1 Purpose: This programme seeks to ensure that goods that are unsafe, or that pose a potential risk to the public from the continued use of or exposure to the goods, are recalled from the consumer market.



4.3.2 Outcomes, outputs, output indicators and targets

Table 9: Programme 3: Mtef targets

Outcome	No	Output	Output Indicators	Audited/Actual Performance			Estimated Performance	MTEF Period		
				2020/21	2021/22	2022/23	2023/24	2024/25	2025/2026	2026/2027
Unsafe goods recalled from the consumer market	5.	Administer product recalls	Reports on all product recalls administered produced	Achieved Produced 4 product recall reports on the administration of the product recalls	Achieved Produced 4 product recall reports on the administration of the product recalls	Achieved Produced 4 product recall reports on the administration of the product recalls	N/A	Produce 4 product recall reports on the administration of the product recalls	Produce 4 product recall reports on the administration of the product recalls	Produce 4 product recall reports on the administration of the product recalls

4.3.3 Output indicators: Annual and quarterly targets.

Table 10: Programme 3: Annual & quarterly targets

Output Indicators	Annual Target	Q1	Q2	Q3	Q4
Reports on all product recalls administered produced	Produce 4 product recall reports on the administration of the product recalls	Produce 1 product recall reports on the administration of the product recalls	Produce 1 product recall reports on the administration of the product recalls	Produce 1 product recall reports on the administration of the product recalls	Produce 1 product recall reports on the administration of the product recalls

4.3.4 Explanation of planned performance

- i) Consumer safety is of paramount importance. The NCC will ensure that consumers are supplied with goods that are safe for consumers' health as well as for the environment. To this extent, the NCC will administer product recalls, issue directive for recalls and conduct investigations where applicable .

4.3.5 Programme resource considerations

Table 11: programme 3: Resource consideration

Economic Classification	Detect prohibited conduct through investigation						
	Expenditure Outcome			Adjusted Appropriation	Medium-Term Expenditure Estimate		
	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/2026
Compensation of employees	-	-	-	11,442,263.00	11,442,263.00	11,442,263.00	11,442,263.00
Goods & Services	-	-	-	1,036,318.00	1,077,770.72	1,120,881.55	1,165,716.81
Total	-	-	-	12,478,581.00	12,520,033.72	12,563,144.55	12,607,979.81



4.4 Programme 4: Importation of non-compliant clothing, textile, footwear, and leather (CTFL) combated.

4.4.1 Purpose: This contributes to the dtic Output 34. The programme seeks to combat non-compliant imports of clothing, textile, footwear and leather goods (CTFL)

4.4.2 Outcomes, outputs, output indicators and targets

Table 12: Programme 4: Mtef targets

Outcome	No	Output	Output Indicators	Audited/Actual Performance			Estimated Performance	MTEF Period		
				2020/21	2021/22	2022/23	2023/24	2024/25	2025/2026	2026/2027
Importation of non-compliant clothing, textile, footwear, and leather (CTFL) combated	6.	% of CTFL Investigations conducted and completed by the 31 st of March 2025	100% of CTFL investigations, approved from the 1 st of March 2024 to the 28 th of February 2025, were conducted and completed by 31 st of March 2025	N/A	N/A	80% All CTFL investigations completed by the end of the financial year.	All CTFL investigations completed by the end of the financial year.	100% of CTFL investigations completed by the end of the financial year.	100% of CTFL investigations completed by the end of the financial year.	100% of CTFL investigations completed by the end of the financial year.
	7.	Enforcement action taken against non-compliant CTFL	Enforcement action taken against non-compliant CTFL	N/A	N/A	Enforcement action taken, by the end of	Enforcement action taken against 100% of	Enforcement action taken against 100% of	Enforcement action taken against 100%	Enforcement action taken against 100% of



Outcome	No	Output	Output Indicators	Audited/Actual Performance			Estimated Performance	MTEF Period		
				2020/21	2021/22	2022/23	2023/24	2024/25	2025/2026	2026/2027
		compliant CTFL importers by the 31 st of March 2025	importers on matters approved from 1 st of March 2024 to the 28 th of February 2025 by the 31 st of March 2025			the financial year, on 80% of all assessment reports approved for enforcement and carried over from the 2022/2023 financial year.	non-compliant CTFL importers by the end of the financial year.	non-compliant CTFL importers by the 31 st of March 2025	of non-compliant CTFL importers by the 31 st of March 2026	non-compliant CTFL importers by the end of the 31 st of March 2027

4.4.3 Output indicators: Annual and quarterly targets

Table 13: Programme 4: Annual & quarterly targets

Output Indicators	Annual Target	Q1	Q2	Q3	Q4
100% of CTFL investigations, approved	100% of CTFL investigations completed by	100% of CTFL investigations, approved	100% of CTFL investigations, approved	100% of CTFL investigations, approved	100% of CTFL investigations, approved



Output Indicators	Annual Target	Q1	Q2	Q3	Q4
from the 1 st of March 2024 to the 28 th of February 2025, were conducted and completed by the 31 st of March 2025	the end of the 31 st of March 2025.	from the 1 st of March 2024 to the 31 st of May 2024, were conducted and completed by 30 th of June 2024	from the 1 st of June 2024 to the 31 st of August 2024, were conducted and completed by or before 30 th of September 2024	from the 1 st of September 2024 to the 30 th of November 2024, were conducted and completed by or before 30 th of September 2024	from the 1 st of December 2024 to the 28 th of February 2025, were conducted and completed by or before 31 st of March 2025
Enforcement action taken against non-compliant CTFL importers on matters approved from 1 st of March 2024 to the 28 th of February 2025 by the 31 st of March 2025	Enforcement action taken against 100% of non-compliant CTFL importers by the end of the 31 st of March 2025	Enforcement action taken against 100% of non-compliant CTFL importers on matters approved from the 1 st of March 2024 to the 31 st of May 2024 by 30 th of June 2024	Enforcement action taken against 100% of non-compliant CTFL importers, on matters approved from the 1 st of June 2024 to the 31 st of August 2024, by or before 30 th of September 2024	Enforcement action taken against 100% of non-compliant CTFL importers, on matters approved from the 1 st of September 2024 to the 30 th of November 2024, by or before 30 th of September 2024.	Enforcement action taken against 100% of non-compliant CTFL importers, on matters approved from the 1 st of December 2024 to the 28 th of February 2025, by or before 31 st of March 2025.

4.4.4 Explanation of planned performance

- ii) The planned performance is to support the South African Retail-Clothing, Textile, Footwear, and Leather (R-CTFL) Value Chain Masterplan by conducting investigations on receipt of detention notices from SARS. The activities will include investigation to detect the prohibited conduct and taking enforcement action against suppliers that violate the labelling requirements in the CPA thus combating the importation illegal CTFL.



4.4.5 Programme resource considerations.

Table 14: programme 4: Resource consideration

Economic Classification	Detect prohibited conduct through investigation						
	Expenditure Outcome			Adjusted Appropriation	Medium-Term Expenditure Estimate		
	2020/21	2021/22	2022/23	2023/24	2024/25	2025/2026	2026/2027
Compensation of employees	-	-	16,630,405.00	16,630,405.00	16,630,405.00	16,630,405.00	16,630,405.00
Goods & Services	-	-	2,401,318.00	2,579,270.72	2,772,531.55	2,982,526.81	2,982,526.81
Total	-	-	19,031,723.00	19,209,675.72	19,402,936.55	19,612,931.81	19,612,931.81

4.5 Programme 5: Promote the disclosure of price of goods and services

4.5.1 Purpose: This contributes to the dtic Output 45. The programme seeks to combat non-disclosure of prices of goods and services

4.5.2 Outcomes, outputs, output indicators and targets

Table 15: Programme 4: Mtef targets



Outcome	No	Output	Output Indicators	Audited/Actual Performance			Estimated Performance	MTEF Period		
				2020/21	2021/22	2022/23	2023/24	2024/25	2025/2026	2026/2027
Prices of goods and services disclosed	8	% of Price monitoring and Investigations conducted and completed by the 31 st of March 2025	100% of Price monitoring and investigations, approved from the 1 st of March 2024 to the 28 th of February 2025, were conducted and completed by the 31 st of March 2025	N/A	N/A	N/A.	N/A.	100% of Price monitoring and investigations completed by the end of the 31 st of March 2025.	100% of Price monitoring and investigations completed by the end of the 31 st of March 2026.	100% of Price monitoring and investigations completed by the end of the 31 st of March 2027.
	9	Enforcement action taken against non-compliant suppliers by the 31 st of March 2025	Enforcement action taken against non-compliant suppliers on matters approved from 1 st of March 2024 to the 28 th of February 2025 by the 31 st of March 2025	N/A	N/A	N/A.	N/A.	Enforcement action taken against 100% of non-compliant suppliers by the 31 st of March 2025	Enforcement action taken against 100% of non-compliant by the 31 st of March 2026	Enforcement action taken against 100% of non-compliant by the end of the 31 st of March 2027

4.5.3 Output indicators: Annual and quarterly targets



Table 16: Programme 4: Annual & quarterly targets

Output Indicators	Annual Target	Q1	Q2	Q3	Q4
100% of Price monitoring and investigations, approved from the 1 st of March 2024 to the 28 th of February 2025, were conducted and completed by the 31 st of March 2025	100% of CTFL investigations completed by the end of the 31 st of March 2025.	100% of CTFL investigations, approved from the 1 st of March 2024 to the 31 st of May 2024, were conducted and completed by 30 th or before June 2024	100% of CTFL investigations, approved from the 1 st of June 2024 to the 31 st of August 2024, were conducted and completed by or before 30 th of September 2024	100% of CTFL investigations, approved from the 1 st of September 2024 to the 30 th of November 2024, were conducted and completed by or before 30 th of September 2024	100% of CTFL investigations, approved from the 1 st of December 2024 to the 28 th of February 2025, were conducted and completed by or before 31 st of March 2025
Enforcement action taken against non-compliant suppliers on matters approved from 1 st of March 2024 to the 28 th of February 2025 by the 31 st of March 2025	Enforcement action taken against 100% of non-compliant suppliers by the end of the 31 st of March 2025	Enforcement action taken against 100% of non-compliant suppliers on matters approved from the 1 st of March 2024 to the 31 st of May 2024 by 30 th of June 2024	Enforcement action taken against 100% of non-compliant suppliers, on matters approved from the 1 st of June 2024 to the 31 st of August 2024, by or before 30 th of September 2024	Enforcement action taken against 100% of non-compliant suppliers, on matters approved from the 1 st of September 2024 to the 30 th of November 2024, by or before 30 th of September 2024.	Enforcement action taken against 100% of non-compliant suppliers, on matters approved from the 1 st of December 2024 to the 28 th of February 2025, by or before 31 st of March 2025.

5.3.1. Explanation of planned performance

- iii) The planned performance is to support the South African Retail-Clothing, Textile, Footwear, and Leather (R-CTFL) Value Chain Masterplan by conducting investigations on receipt of detention notices from SARS. The activities will include investigation to detect the prohibited conduct and taking enforcement action against suppliers that violate the labelling requirements in the CPA thus combating the importation illegal CTFL.

4.5.4 Programme resource considerations.

Table 17: programme 4: Resource consideration

Economic Classification	Detect prohibited conduct through investigation						
	Expenditure Outcome			Adjusted Appropriation	Medium-Term Expenditure Estimate		
	2020/21	2021/22	2022/23	2023/24	2024/25	2025/2026	2026/2027
Compensation of employees	-	-	16,630,405.00	16,630,405.00	16,630,405.00	16,630,405.00	16,630,405.00
Goods & Services	-	-	2,401,318.00	2,579,270.72	2,772,531.55	2,982,526.81	2,982,526.81
Total	-	-	19,031,723.00	19,209,675.72	19,402,936.55	19,612,931.81	19,612,931.81

4.6 Programme 5: Curb prohibited conduct.

4.6.1 Purpose: This programme contributes to the dtic Outcomes 34 and 45. It seeks to ensure that prohibited conduct is detected, curbed prohibited conduct and punish those engaged in prohibited conduct, and ensure consumer redress.

4.6.2 Outcomes, outputs, output indicators and targets



Table 18: Programme 5: Mtef targets

Outcome	No	Output	Output Indicators	Audited/Actual Performance			Estimated Performance	MTEF Period		
				2020/21	2021/22	2022/23	2023/24	2024/25	2025/2026	2026/2027
Prohibited conduct detected through investigation	10.	Investigations conducted and completed.	% of investigations, approved from the 1 st of January 2024 to the 31 st of December 2024, were conducted and completed by or before the 31 st of March 2025.	Achieved 86 % (289 of 337) of approved investigations conducted and reports produced in 50 days	Achieved 94.71% (412 of 435) of approved investigations conducted and reports produced in 101.86 days.	Achieved 80% of approved investigations conducted and reports with recommendations produced within 90 days	Conduct and complete, by the end of the financial year, 85% of all investigations approved from the First day of quarter four of 2022/2023 to the last day of quarter three of 2023/2024	Conduct and complete, 90% of complaints approved for investigation from the the 1 st of January 2024 to the 31 st of December 2024	Conduct and complete, 90% of complaints approved for investigation from the the 1 st of January 2025 to the 31 st of December 2025	Conduct and complete, 90% of complaints approved for investigation from the the 1 st of January 2026 to the 31 st of December 2026
Prohibited conduct curbed through enforcement action	11.	% of Enforcement action taken against non-	Enforcement action taken in 95% of assessment reports	Achieved 100 % (130 out of 130) of enforcement	Achieved 100% (166 out of 166) of enforcement action taken	Achieved Enforcement action taken against non-compliant	Enforcement action taken in 95% of assessment reports approved	Enforcement action taken in 95% of assessment reports	Enforcement action taken in 95% of assessment reports	Enforcement action taken in 95% of assessment reports



Outcome	No	Output	Output Indicators	Audited/Actual Performance			Estimated Performance	MTEF Period		
				2020/21	2021/22	2022/23	2023/24	2024/25	2025/2026	2026/2027
		complaint suppliers	approved for enforcement from the 1 st of January 2024 to the 31 st of December 2024, by the 31 st of March 2025	actions were taken against non-compliant suppliers, within 50 days of Approval.	against non-compliant suppliers in 90 % of approved matters within 45 days of approval	suppliers in 90 % of approved matters within 40 days of approval.	for enforcement between the first day of quarter four of 2022/2023 and the last day of quarter three of 2023/2024 financial years by the end of the financial year	approved for enforcement from the 1 st of January 2024 to the 31 st of December 2024, by 31 st of March 2025	approved for enforcement from the 1 st of January 2025 to the 31 st of December 2025, by 31 st of March 2026	approved for enforcement from the 1 st of January 2026 to the 31 st of December 2026, by 31 st of March 2027

4.6.3 Output indicators: Annual and quarterly targets

Table 19: Programme 5: Annual & quarterly targets

Output Indicators	Annual Target	Q1	Q2	Q3	Q4
% of investigations, approved from the 1 st of January 2024 to the 31 st of December 2024, were	Conduct and complete, 90% of complaints approved for investigation from the the 1 st of January	90% of investigations, approved from the 1 st of January 2024 to the 31 st of March 2024, were	90% of investigations, approved from the 1 st of April 2024 to the 30 th of June 2024, were conducted	90% of investigations, approved from the 1 st of July 2024 to the 30 th of September 2024, were	90% of investigations, approved from the 1 st of October 2024 to the 31 st of December 2024, were

Output Indicators	Annual Target	Q1	Q2	Q3	Q4
conducted and completed by the 31 st of March 2025.	2024 to the 31 st of December 2024	conducted and completed by 30 th or before June 2024	and completed by or before 30 th of September 2024	conducted and completed by or before 31 st of December 2024	conducted and completed by or before 31 st of March 2025
Enforcement action taken in 95% of assessment reports approved for enforcement from the 1 st of January 2024 to the 31 st of December 2024, by the 31 st of March 2025	Enforcement action taken in 95% of assessment reports approved for enforcement from the 1 st of January 2024 to the 31 st of December 2024, by 31 st of March 2025	Enforcement action taken against 95% of non-compliant suppliers on matters approved 1 st of January 2024 to the 31 st of March 2024, by or before 30 th of June 2024	Enforcement action taken against 95% of non-compliant suppliers, on matters approved from the 1 st of April 2024 to the 30 th of June 2024, by or before 30 th of September 2024	Enforcement action taken against 95% of non-compliant suppliers, on matters approved from the 1 st of July 2024 to the 30 th of September 2024, by or before 30 th of September 2024.	Enforcement action taken against 95% of non-compliant suppliers, on matters approved from the 1 st of October 2024 to the 31 st of December 2024, by or before 31 st of March 2025.

4.6.4 Explanation of planned performance

- iv) Prohibited conduct constitutes business practices that cause economic harm to consumers and must be detected, prevented, and prosecuted The investigations will be conducted **where suspicion of the violation of the CPA exists based on trends from the NCC’s market monitoring activities, complaints received** from consumers and matters referred to the NCC by other regulators.
- v) Enforcement activities would include initiating the process of consent agreements, issuing compliance notices, and prosecuting those engaged in prohibited conduct at the NCT and other Courts. The intention is to ensure that redress to consumers is swift, non-compliant businesses are punished, and that businesses are deterred from engaging in prohibited conduct. The NCC contributes to one of the 7 core commitments of the CTFL Master plan which is to curb illegal imports.

4.6.5 Programme resource considerations

Table 20: programme 5: Resource consideration

Economic Classification	Detect prohibited conduct through investigation						
	Expenditure Outcome			Adjusted Appropriation	Medium-Term Expenditure Estimate		
	2020/21	2021/22	2022/23	2023/24	2024/25	2025/2026	2026/2027
Compensation of employees	-	-	16,630,405.00	16,630,405.00	16,630,405.00	16,630,405.00	16,630,405.00
Goods & Services	-	-	2,401,318.00	2,579,270.72	2,772,531.55	2,982,526.81	2,982,526.81
Total	-	-	19,031,723.00	19,209,675.72	19,402,936.55	19,612,931.81	19,612,931.81

5 Key Risks and mitigation

5.1 Risks related to Outcomes.



Table 21 Key risks

No	Outcomes	Key Risks	Risk Mitigation
1.	Available public-facing ICT systems	1.1 Failure to maintain the confidentiality, integrity, and availability of NCC systems and data.	1.1.1 Implement and monitor progress and against the ICT Strategic Plan and compliance thereto. 1.1.2 Align the NCC Business continuity and ICT continuity plans. 1.1.3 Develop, implement, and monitor the Information Security posture improvement plan implementation. 1.1.4 Monitor compliance with the change control policy
2.	All Outcomes	2.1 Insufficient funding to meet strategic objectives. 2.2 High turnover of employees at critical positions	2.1.1 Improve the revenue generation capacity of the NCC through full the implementation of the opt-out register. 2.1.2 Include opt out revenue in the budget adjustment of the NCC for 2024/25 financial year. 2.2.1 Implement staff retention and business continuity plans.

5.2 Fraud prevention

The Public Finance Management Act, No 1 of 1999 and Treasury Regulations, 2005 requires the Accounting Authority (Commissioner) to adopt a risk management strategy that must include a formal Fraud Prevention Plan and to submit the Fraud Prevention Plan together with the Annual Performance Plan to the Executive Authority annually.

5.3 Components of the Fraud Prevention Plan

The components of the Plan are depicted in the Diagram below:



5.4 Fraud Risks



Table 22 fraud risk

No.	Fraud Risk Name	Manifestation (long risk description)	Risk Mitigation
1.	Operational fraud (across the value chain)	1.1 Sabotage, e.g., deliberate destruction of equipment, deliberately not including certain information in operational processes, etc. 1.2 Deliberately submitting false information for approval 1.3 Deliberate falsification of data and reports. 1.4 Deliberately withholding critical information that will influence the continuation of an operational process	1.1.1 Ongoing awareness training on the code of ethics and related matters.
2.	Investigation related fraud	2.1 Improper conflicts of interest by investigators and other parties with access to the information. 2.2 Irregularly sharing of investigation and prosecution information with suppliers, e.g., in exchange for undue benefits. 2.3 Deliberately falsifying investigation findings.	2.1.1 Annual review of Policies and SOPs 2.1.2 Annual declaration of interest by all investigators and prosecutors.
3.	Procurement fraud (including accounts payable fraud)	3.1 Colluding between NCC staff and vendor(s) to bill NCC for services not rendered/ goods not received 3.2 Deliberate submission of inflated/duplicate invoices submitted by suppliers including Split pricing. 3.3 Manipulation of tender/quotations specification to favour specific vendors, etc. 3.4 Deliberate double payments with refunds to personal account 3.5 Manipulation of Delegation of Authority (DoA),	3.1.1 Ad hoc fraud reviews to detect red flags in the procurement process 3.1.2 Continuous fraud awareness training



		3.6 Deliberate non-compliance to the procurement process.	
4.	Theft, abuse or misuse of NCC assets and resources	4.1 Theft of assets and resources, e.g. laptops, stationary, headsets, etc 4.2 Abuse of NCC resources, e.g., company time for personal errands 4.3 False/inflated claims, e.g., overtime, travel, etc.	4.1 Continuous training on policies and SOPs relevant to the risks. 4.2 Ad hoc reviews of claims to detect fraud.
5.	Payroll fraud	5.1 Inflation of salaries of certain employees. 5.2 Diversion of payroll payments to personal accounts.	5.1 Review of payroll data before payments are made.
6.	Cyber fraud	6.1 Hacking 6.2 Deliberate / latent misuse of IT systems for personal gain	6.1 Regularly review of security controls on IT infrastructure. 6.2 Updated anti-Virus soft wares

Public Entities: N/A

A large, light gray magnifying glass graphic is positioned in the upper half of the page, with its lens centered over the main title. The handle of the magnifying glass extends from the bottom left towards the center. Two horizontal maroon lines cross the page, with a circular maroon border overlapping the right side of the lower line.

Technical Indicator Descriptions

Part D

ICT Systems

Detect Prohibited Conduct

Enforcement Action Taken

Consumer Education and Awareness

6 Technical Indicator Descriptions (TIDs)

Table 23 complaints handling e-Service System and Website

Indicator title	Available complaints handling e-Service System and Website
Definition	<ul style="list-style-type: none"> ❖ The indicator measures progress on the implementation of the: <ul style="list-style-type: none"> • self-service system for filing of consumer complaints. • the Opt-Out Registry System. • The NCC website ❖ Availability measures the uptime of the systems being online.
Source of data or information	SLA reports between the NCC and Okuhle Digital for website maintenance, statistics from the uptime monitoring tool, and ICT service desk tickets.
Method of calculation/assessment	<ul style="list-style-type: none"> • Monthly uptime = (the number of business hours monthly minus unplanned downtime (hours) divided by the number of business hours monthly) multiplied by 100 • Quarterly performance = average uptime for the quarter (total of three months divided by three) • Annual performance = average uptime for the year (total of four quarters divided by four)
Means of verification	SLA reports between the NCC and Okuhle Digital for website maintenance, statistics from the uptime monitoring tool, and ICT service desk tickets.
Assumptions	The target will be met.
Disaggregation of beneficiaries	N/A
Spatial transformation (where applicable)	N/A
Calculation type	Cumulative (year-end)
Reporting cycle	Quarterly
Desired performance	Target achieved or exceeded
Indicator Responsibility	Chief Information Officer

Table 24 Documented cases TID

Indicator title	Documented Cases
Definition	The Commission will document and report on cases Cases such as where the NCC obtains redress for consumers, cases where the NCC obtains administrative fines against non-compliant suppliers and instances where the NCC shuts down pyramid, fraudulent and ponzi schemes to prevent possible economic losses to South Africans
Source of data or information	Consumer education and awareness programme reports.
Method of calculation/ assessment	A simple count of case studies
Means of verification	<ul style="list-style-type: none"> • Pictures • Complaint/ investigation files • Settlement Agreements • Court judgements
Assumptions	The affected consumers will give consent for their details to be publicised.
Disaggregation of beneficiaries	N/A
Spatial transformation (where applicable)	N/A
Calculation type	Cumulative (year-end)
Reporting cycle	Annually
Desired performance	Target will be met or exceeded
Indicator Responsibility	Media Liasion

Table 25 Public awarenes TID

Indicator title	Public awareness of the provisions of the CPA
Definition	Interactive sessions conducted to educate and raise awareness of consumers on the CPA. These programmes will be conducted through TV and radio interviews, advertisements on print media, radio and TV, postings on NCC social media pages, and workshops, seminars (in person and virtual).
Source of data or information	Attendance registers, confirmation by the host, meeting screenshots, minutes, notes, URL to interview, transcripts.

Method of calculation/assessment	<ul style="list-style-type: none"> A simple count of awareness programmes conducted
Means of verification	Attendance registers, confirmation by the host, meeting screenshots, minutes, notes, URL to interview, transcripts.
Assumptions	Target will be achieved
Disaggregation of beneficiaries	N/A
Spatial transformation (where applicable)	N/A
Calculation type	Cumulative (year-end)
Reporting cycle	Annually
Desired performance	Target will be achieved or exceeded
Indicator Responsibility	Divisional Head: Education & Advocacy

Table 26 Business education TID

Indicator title	Business Education programmes conducted
Definition	Interactive sessions conducted to guide businesses on provisions of the CPA. These programmes will be conducted through TV and radio interviews, advertisements on print media, radio and TV, postings on NCC social media pages, and workshops, seminars (in person and virtual).
Source of data or information	Attendance registers, confirmation by the host, meeting screenshots, minutes, notes, URL to interview, transcripts.
Method of calculation/assessment	<ul style="list-style-type: none"> A simple count of business awareness programmes conducted
Means of verification	<ul style="list-style-type: none"> Attendance registers, confirmation by the host, meeting screenshots, minutes, notes, URL to interview, transcripts.
Assumptions	Target will be achieved
Disaggregation of beneficiaries	N/A
Spatial transformation (where applicable)	N/A
Calculation type	Cumulative (year-end)
Reporting cycle	Annually
Desired performance	Target will be achieved or exceeded
Indicator Responsibility	Divisional Head: Education & Advocacy

Table 27 unsafe goods recalled

Indicator title	Unsafe Goods recalled
Definition	Product recall means a recall of unsafe, hazardous, defective or failed product
Source of data or information	<ul style="list-style-type: none"> Product recall register Quarterly report approved by office of the commissioner
Method of calculation/ assessment	Count of product recalls administered.
Means of verification	<ul style="list-style-type: none"> Product recall register Quarterly report approved by office of the commissioner
Assumptions	None
Disaggregation of beneficiaries	N/A
Spatial transformation (where applicable)	N/A
Calculation type	Cumulative (year-end)
Reporting cycle	Quarterly
Desired performance	Achieve or exceed the target
Indicator Responsibility	Divisional Head: Investigations

Table 28 detect prohibited conduct TID

Indicator title	Detect prohibited conduct through investigation
Definition	An Investigation is completed when an Investigation Report is approved by the Office of the Commissioner
Source of data or information	<ul style="list-style-type: none"> Investigation reports approval memo (confirming approval) Register of approved Investigation Reports
Method of calculation/ assessment	Number of approved investigation reports.
Means of verification	Approved Investigation reports
Assumptions	None
Disaggregation of beneficiaries	N/A
Spatial transformation (where applicable)	N/A
Calculation type	Cumulative (year-end)

Reporting cycle	Quarterly
Desired performance	Achieve or exceed the target
Indicator Responsibility	Divisional Head: Investigations

Table 29 Enforcement action TID

Indicator title	Enforcement action taken
Definition	Enforcement action is deemed as taken on when a compliance notice is issued, a settlement agreement is signed; a referral to Equality court is made, National Prosecuting Authority is made; or application papers are filed at the National Consumer Tribunal.
Source/ of data or information	Compliance notice, settlement agreement, referral letter, filing email or NCT stamp.
Method of calculation/ assessment	Simple count of enforcement instruments (Compliance notice, settlement agreement, referral letter, filing email or NCT stamp.)
Means of verification	Compliance notice, settlement agreement, referral letter, filing email or NCT stamp.
assumptions	<ul style="list-style-type: none"> • Target will be met
Disaggregation of beneficiaries	<ul style="list-style-type: none"> • None
Spatial transformation (where applicable)	<ul style="list-style-type: none"> • None
Calculation type	<ul style="list-style-type: none"> • Cumulative (year-end)
Reporting cycle	<ul style="list-style-type: none"> • Quarterly
Desired performance	Target will be met or exceeded
Indicator Responsibility	<ul style="list-style-type: none"> • Divisional Head – Legal Services

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