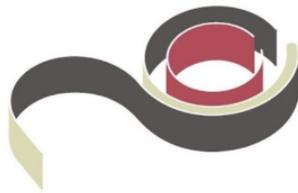


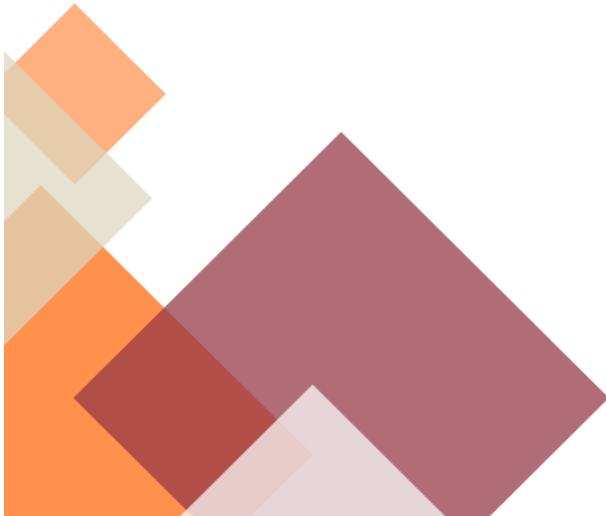
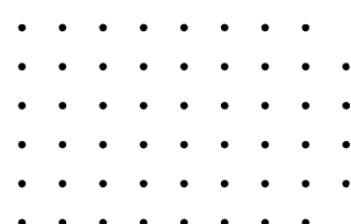
# NATIONAL CONSUMER COMMISSION

## STRATEGIC PLAN FOR 2025-2030

31 MARCH 2025



NATIONAL CONSUMER COMMISSION



### Abbreviations and commonly used acronyms

BMA	-	Border Management Authority
CPA	-	Consumer Protection Act No. 68 of 2008
<b>the dtic</b>	-	Department of Trade, Industry, and Competition
CTFL		Clothing, Textile, Footwear and Leather goods
CGSO	-	Consumer Goods and Services Ombud
DPSA	-	Department of Public Service and Administration
ITAC	-	International Trade Administration Commission
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
SAPS	-	South African Police Service
SARS	-	South African Revenue Service

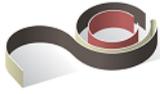


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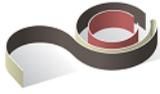


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## Executive Authority Statement



It is with great pleasure that I present the Strategic Plan of the National Consumer Commission (NCC) for 2025-2030.

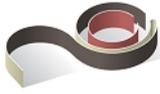
This Strategic Plan outlines the programme for the NCC to implement the Consumer Protection Act (No. 68 of 2008) (CPA) in a manner that ensures the protection of consumers, particularly the vulnerable, and equally contribute to Government's priorities as outlined in the Medium-Term Development Plan (MTDP).

The strategic focus of the NCC during this period will be mainly on nine key areas focused on unsafe and expired foods, second-hand automotive industry, unfair and unreasonable pricing of goods and services, unfair and unreasonable terms and conditions, non-compliant Clothing, Textile, Footwear and Leather goods, market monitoring of low-quality and substandard locally produced or imported goods, false claims on carbon friendly goods (green washing), scams and Ponzi schemes, and e-commerce. In addition, the NCC will be required to enhance consumer and business education to enhance awareness of the CPA.

These focus areas will ensure that the NCC not only tackles consumer protection transgressions that exploit consumers but also target those areas that undermine industrialisation and ultimately economic growth. This approach to regulation will directly contribute to **the dtic's** strategy of **D**iversification, **D**e-carbonisation, and **D**igitalisation.

The NCC's emphasis on collaboration with other regulatory authorities, provincial consumer protection authorities and ombud schemes is crucial. By fostering strong partnerships with provincial consumer protection authorities, accredited ombud schemes and other regulators, the NCC can create a unified consumer protection framework. This collaborative approach allows the NCC to tap into collective expertise and resources, ultimately leading to improved consumer protection outcomes.

The NCC is also required to boost its efficiency by streamlining timelines for resolving cases, digitising processes, and harnessing technology to enhance regulatory effectiveness.



In this period, I shall look into areas of the CPA that require strengthening and review to ensure that the NCC is effective in its execution of the mandate.

This Strategic Plan of the NCC is endorsed and appreciation is extended to the executive team and staff to implement this Plan and achieve the stated objectives.

Over the coming 5-years, **the dtic group** will systematically re-orient its interventions, support measures and policy development activities to achieving **D**iversification, **D**e-carbonisation and **D**igitalisation.

A handwritten signature in black ink, appearing to read 'P. Tau', is positioned above a horizontal line. The signature is fluid and cursive.

**Mr. Parks Tau, MP**  
**Minister of Trade, Industry, and Competition**  
**Republic of South Africa**

## Deputy Minister Statement



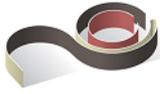
Consumer protection regulation can meaningfully contribute to Medium-Term Development Plan (MTDP) priorities of **Driving Inclusive Economic Growth and Job Creation, Reducing Poverty and Addressing the High Cost of Living and Building a Capable, Ethical, and Developmental State.**

The Strategic Plan of the National Consumer Commission (NCC) is aligned with this mandate, particularly its emphasis on consumer protection targeted at nine key areas, namely, unsafe and expired foods, second-hand automotive industry, unfair and unreasonable pricing of goods and services, unfair and unreasonable terms and conditions, non-compliant Clothing, Textile, Footwear and Leather goods, market monitoring of low-quality and substandard locally produced or imported goods, false claims on carbon friendly goods (green washing), scams and Ponzi schemes, and e-commerce. These focus areas will ensure the NCC tackles conduct that seeks to exploit consumers in areas that hurt South Africans the most.

In this period, the NCC is required to strengthen collaboration with the entities of **the dtic**, particularly standard setting bodies and regulators such as the SABS, NRCS, Competition Commission and ITAC. In addition, more collaborative work is required with other entities with related mandates, namely, Border Management Authority, South African Police Service and South African Revenue Service.

Having regard to the consumer protection challenges that lie ahead, it will be important to ensure that the NCC is adequately capacitated for effective regulation and impact. There is also a need to strengthen certain provisions of the Consumer Protection Act (No. 68 of 2008) (CPA) to address legislative gaps and ensure greater consumer protection.

This Strategic Plan positions the NCC to contribute meaningfully to the economy, and is aligned with priorities of the 7<sup>th</sup> administration, by particularly focusing on conduct that hinders industrialization and overall competitiveness of the marketplace for consumer goods and services.



I support the Strategic Plan of the NCC for 2025-2030, and I shall provide the necessary support and oversight towards its implementation.

I have full confidence that the NCC, under its leadership, the executive team, and staff will implement this plan and realise its goals.

A handwritten signature in black ink, appearing to read 'Zuko Godlimpi', written over a horizontal line.

**Mr. Zuko Godlimpi, MP**

**Deputy Minister of Trade, Industry, and Competition**

**Republic of South Africa**

## Accounting Authority Statement



I am pleased to present this Strategic Plan of the National Consumer Commission (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) (CPA) 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; and
- 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; and
- 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 achieved most of its targets during the previous period. The NCC also obtained a clean audit opinion in 2023/2024 (the 5<sup>th</sup> since 2018/19) as a result of good corporate governance and prudent financial management.

The overall focus for the previous period was underpinned by the following targets:

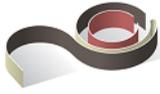
- Improved turnaround times in the administration of complaints;
- Services rendered by NCC positively impact the socio-economic welfare of consumers;
- Public awareness of the provisions of the CPA;
- Curb importation of non-compliant clothing, textile, footwear, and leather (CTFL);
- Goods or services supplied at prices that are fair, reasonable, and just; and
- Curb prohibited conduct.

### 2.2 Investigations and enforcement

2.2.1 In the previous five years, the NCC obtained **R22,043,783.62 (Twenty-two million forty-three thousand seven hundred eighty-three rand and sixty-two cents)** redress for consumers.

2.2.2 In the same period **R38, 800, 796.00 (Thirty-eight million eight hundred thousand seven hundred ninety-six rand)** worth of administrative fines were imposed.

2.2.3 The NCC prevented imported non-compliant CTFL from entering the South African market. These goods, to the value of **R73, 732, 319.08 (Seventy-three million seven hundred thirty-two thousand three hundred nineteen rand and eight cents)** were either destroyed or returned to the country of origin.



- 2.2.4 In pursuance of its mandate to protect consumers against harmful products, the NCC conducted 186 recalls of products.
- 2.2.5 In furtherance of its mandate and in contribution to Immediate Outcomes (IO) number 07 (IO7) and 08 (IO8) of the Action Plan on South Africa's Greylisting, the NCC has investigated numerous schemes involved in predicate offences. IO7 requires South Africa to demonstrate "a sustained increase in investigations and prosecutions of serious and complex money laundering, in particular involving professional money laundering networks/enablers and third-party ML in line with its risk profile." IO8 requires South Africa to "enhance its identification, seizure and confiscation of proceeds and instrumentalities of a wider range of predicate crimes, in line with its risk profile." In this regard and through the National Prosecuting Authority's Asset Forfeiture Unit, preservation orders to the tune of **R201, 246, 735.50 (Two hundred one million two hundred forty-six thousand seven hundred thirty-five rand and fifty cents)** were obtained.

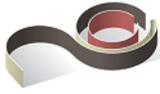
#### 2.2.6 Notable Cases

##### i) **Ford Kuga**

The NCC entered into a consent agreement with the Ford Motor Company of Southern Africa (FMCSA) in December 2019 in relation to the Ford Kuga motor vehicles. A number of complaints were received in relation to the Ford Kuga 1.6L Eco-boost that were combusting either whilst being driven or parked. An investigation into the conduct of FMCSA was conducted.

In terms of the consent agreement, FMCSA agreed:

- a) To pay an administrative fine of **R35, 000, 000.00 (Thirty-five million rand)** in terms of Section 112 of the Consumer Protection Act.
- b) That it is liable for harm in terms of Section 61(1)(b) of the CPA.
- c) To compensate the affected owners of Kuga vehicles **R50, 000.00 (Fifty thousand rand)** each.



ii) **Vodacom**

NCC V Vodacom. In this matter, Vodacom had 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. The NCC obtained a judgement in the National Consumer Tribunal where Vodacom's conduct was declared unconscionable and was ordered to pay a fine of **R1, 000, 000.00 (One million rand)**.

iii) **We-Buy Cars**

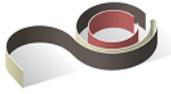
Following the intervention by the NCC, the amount of **R 1, 016, 094.15 (One million sixteen thousand and ninety-four rand and fifteen cents)** was refunded to the consumers by We-Buy-Cars. The NCC investigations have found that We-Buy-Cars refuses to refund consumers where the purchased vehicles are defective

iv) **Wingfield Motors**

Wingfield Motors refused to refund the purchase price for a vehicle that proved to be defective. The NCC investigated the matter and concluded that Wingfield Motors had contravened the CPA, and the matter was prosecuted at the NCT. The NCT ruled in favour of the NCC and ordered Wingfield to refund the purchase price of **R568, 000.00 (Five hundred and sixty eight thousand rand)** and to pay an administrative penalty of **R50, 000.00 (Fifty thousand rand)**.

v) **Sandton Repo Cars**

Sandton Repo Cars supplied, to a consumer, a defective car and refused to refund the consumer. The NCT ordered Sandton Repo Cars to refund the consumer the amount of **R459, 900.00 (Four hundred and fifty-nine thousand and nine hundred rand)** and imposed an administrative penalty of **R100, 000.00 (One hundred thousand rand)**.



### 2.2.7 Notable pricing cases

#### i) **NCC vs Kit Kat Group**

Kit-Kat group agreed to contravention of Regulation 5.2.1 of Regulation 350, payment of an administrative fine in the sum of **R50, 000. 00 (Fifty thousand rand)** and a refund to the complainant in the sum of R3 760, 00 (**Three thousand seven hundred and sixty rand**).

#### ii) **NCC vs Peoples' Pharmacy**

Peoples Pharmacy agreed to pay an administrative fine of **R20, 000.00 (Twenty thousand rand)**, without admission of guilt and donated PPE's to the value of **R20, 000.00 (Twenty thousand rand)** to an NGO.

#### iii) **NCC vs Health and Home Protea Pharmacy**

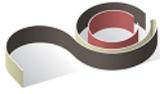
Health and Home Protea Pharmacy agreed to contravention of Regulation 5.2.1 of Regulation 350, payment of an administrative fine of **R10, 000.00 (Ten thousand rand)** and donation of face masks to a child welfare organisation.

#### iv) **NCC vs Springbok Pharmacy**

Springbok Pharmacy agreed to pay an administrative fine of **R10, 000.00 (Ten thousand rand)**.

#### v) **NCC vs OK MiniMark Albertinia**

OK MiniMark Albertinia agreed to pay an administrative fine of **R20, 000,00 (Twenty thousand rand)**.



vi) **NCC vs Babelegi Workwear and Industrial Supply (Pty) (Ltd)**

NCC obtained judgement in the following terms:

- a) Babelegi Workwear and Industrial Supply (Pty) (Ltd) was found to have committed a prohibited conduct; and
- b) Ordered to pay an administrative fine of **R100, 000, 00 (One hundred thousand rand)** within 30 days of receipt of judgement.

### 2.2.8 **Notable Scams**

i) **Women Against Poverty and Hunger (WAPH)**

The NCC investigated the WAPH scheme involved in predicate offences. The scheme was a pyramid and multiplication scheme disguised as a grocery stokvel. The scheme invites members of the public to make a once-off payment of R300 (Three hundred Rand), promising them monthly grocery parcels for 12 months thereby offering, promising or guaranteeing an effective interest of above 1770%. The NCC obtained, through the NPA's Asset Forfeiture Unit, a preservation order in the amount of **R5, 326, 869.00 (Five million, three hundred twenty-six thousand, eight hundred sixty-nine Rand)** pending the finalisation of the investigation.

ii) **Up Money**

The NCC also conducted an investigation into Up Money pyramid scheme, in collaboration with the FIC and the NPA, which led to:

- a) The seizure and preservation of **R17, 000, 000.00 (Seventeen million rand)** being proceeds of illegal activities;
- b) The seizure and preservation of three luxury vehicles being proceeds of illegal activities;
- c) Criminal charges being laid against the directors of the scheme; and
- d) The NCC successfully applied to the NCT for a scheme run by Up-Money (Pty) (Ltd) to be declared a pyramid scheme and an administrative fine to the sum of **R1, 000, 000.00 (One million rand)** was imposed on Up-Money (Pty) (Ltd).

The NCC, acting with the assistance of the National Prosecuting Authority, was able to successfully apply for an order declaring that UP Money had been engaged in a pyramid scheme. This resulted in the total collapse of the said scheme which absolved consumers, mostly from low-income groups, from losing large sums of money that they would have invested.

iii) **Priority Escapes**

In this matter, consumers booked and paid for their holidays through Priority Escapes, but the holidays never materialized, and the consumers were not refunded. The NCC investigated the matter and found that the CPA was contravened. The NCC, through the National Prosecuting Authority's Asset Forfeiture Unit, obtained a preservation order from the North Gauteng High Court in the amount of **R314, 757.35 (Three hundred and fourteen rand seven hundred and fifty-seven rand and thirty-five cents)**, through the assistance of the National Prosecuting Authority's Asset Forfeiture Unit to ensure that the consumers' funds are not dissipated. The NCC is tracing other funds hidden by Priority Escapes.

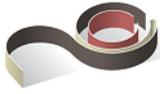
iv) **Edwin Letopa**

In this matter, Mr. Letopa operated a pyramid scheme through multiple companies of no less than 30 in number. The NCC collaborated with the National Prosecuting Authority's Asset Forfeiture Unit, the South African Reserve Bank, the Financial Intelligence Centre, and the Financial Sector Conduct Authority. This led to a preservation order in the amount of **R176, 000, 000.00 (One hundred and seventy-six million rand)** being obtained from the North Gauteng High Court.

2.2.9 **Notable Recalls**

i) **Pioneer Foods recall of Ceres and Liqui Fruit**

Eleven specific batches of Ceres and Liqui Fruit were recalled due to laboratory tests having revealed the presence of a mycotoxin (patulin) at levels above the permitted tolerance (50µg/l) for fungus-produced toxins in foodstuffs. Pioneer Foods informed the



NCC that four batches of Liqui Fruit 100% Apple Juice was made available in South Africa, Namibia and Botswana markets. The other seven batches for Ceres 100% Apple Juice were only made available to the other markets, namely Ghana, DRC, Tanzania, Ethiopia, Mozambique, United Arab Emirates, Singapore, Mauritius, Benin, Reunion, Zambia, Seychelles, Kenya, Uganda, Malawi, Gabon, Lesotho, Mayotte (Comoros), Portugal, Oman, Sierra Leone and British Virgin Islands.

ii) **Woolworths recall of Apple Juice**

One batch of 100% Woolworths Apple 4x6x 200ml/Single/6 pack juice was recalled due to laboratory tests having revealed the presence of a mycotoxin (patulin) at levels above the permitted tolerance (50µg/l) for fungus-produced toxins in foodstuffs. Woolworths further indicated that the affected goods were exported to Botswana, Eswatini, Lesotho, Mozambique, Namibia and Zambia.

iii) **Deli Hummus**

On 16 September 2024, Shoprite Checkers notified the NCC of a product recall of the Deli Hummus range manufactured by BM Foods (a member of Sea Harvest Group), following the detection of *Listeria Monocytogenes* which is a species of foodborne bacteria. The respective sell-by dates of the affected products were 10 September 2024 to 08 October 2024. Subsequent to the product recall notification, and in line with Section 60 of the CPA, Shoprite Checkers provided an interim Investigation Report to the NCC on the Deli Hummus range. The preliminary findings of the report pointed to some areas of concern on product handling at the manufacturing level, however, the NCC awaits a final report from Shoprite Checkers. Parallel to the said in-house processes, the NCC was independently investigating the recalled products on identified operational issues that pertain to food safety.

iv) **Top Score Instant Porridge by SPAR Group**

On 30 September 2024, the NCC received an urgent precautionary product safety recall notification of the Top Score Instant Porridge brand produced in Namibia and supplied to the Spar Group in South Africa. Namib Mills, based in Namibia, notified the NCC of an urgent precautionary recall of this product and the local supplier, Spar Group, has

also communicated this information to the NCC. South African consumers who purchased Top Score Instant Porridge by SPAR Group were urged to stop consuming the product and immediately return it to the retailer for a full refund. There was also a separate investigation under way, including laboratory analysis, by relevant authorities in the Buffalo City Metro, where safety concerns of the product were first raised. The NCC finalised the product recall and cleared the product for sale as there was no evidence that the Top Score Instant Porridge was contaminated at the manufacturing level. The South African Police Service is still looking into the matter.

### 2.3 Education Awareness

The NCC uses face-to-face, virtual, print, broadcast, and social media to spread its messages to South African consumers and suppliers, uphold its good reputation, communicate consumer and supplier related activities, and inform consumers of their rights while nudging suppliers to abide by the CPA and its regulations. Media Relations is an integral aspect of the NCC's strategy to connect with South African consumers and suppliers about numerous topics. These include significant investigations, rulings, and product recalls. To reach the most vulnerable South African consumers, the NCC strives to maintain a balance between new and traditional media, including social media. Social media channels are instantaneous by nature, and promptly attending to customer inquiries has produced favourable outcomes. In this regard, the NCC achieved the following:

- The NCC's business guidance programmes were aimed at reaching SMMEs, women, and youth-empowered businesses. As such total number of 24 business guidance interventions were conducted to support these designated groups.
- A story about a consumer, Mr Mariba, whose vehicle was stolen at a car dealership broke on Twitter on or about 21 March 2023. It was stated that the dealership was not responsible for the loss. This resulted in one Sunday Paper contacting the NCC for comment. The NCC response was that the dealership should replace the consumer's vehicle and that failure to do so is a contravention that the NCC will prosecute. The response caught Hyundai SA's attention, and the dealership replaced Mr Mariba's vehicle with a brand-new vehicle in April 2023.

### 3. STRATEGIC FOCUS FOR THIS PERIOD

The NCC's strategic focus for the 2025-2030 period is to protect consumers and promote a fair marketplace, including focus on emerging issues in the digital economy and transition to climate friendly business practices, while aligning with the broader national priorities of reindustrialisation, inclusive growth, poverty reduction, capable developmental state and ultimately addressing cost of living concerns. This focus is directly derived from the Government's Medium-Term Development Plan (MTDP) and **the dtic's** economic policy and outputs, which emphasize re-industrialization, localization, beneficiation, and creating an enabling environment for investment and improved competitiveness.

The strategic objectives of the NCC demonstrate an alignment with the broader government agenda, particularly focusing on industrialization, and fostering a fair marketplace for consumer goods and services. The improvement of offering consumer protection using technology underscores the NCC efforts to more responsive service delivery as articulated in outcomes that are geared at optimised service delivery, finalizing complaints and product recalls within strict timelines.

To reduce red tape, and to ensure the NCC operates effectively and efficiently, the NCC has introduced new targets to reduce the time it takes to investigate complaints from consumers and to timeously respond to queries from consumers. In the main, two interventions will contribute to red tape reduction, namely, the further implementation of the electronic system for filing of complaints and significantly reduced periods for finalisation of cases.

The operationalisation of the Opt-Out Registry is a response to the mandate of NCC to protect consumers from intrusive unsolicited marketing communication, thus protecting the privacy of consumers. The NCC will also focus on protecting consumers within e-commerce and reduce the harm that may be suffered through scams and Ponzi Schemes. These efforts will contribute to an empowered consumer base, a conducive business environment, and a streamlined regulatory process.

Furthermore, the NCC's focus on promoting consumer education and awareness in the digital economy aligns with **the dtic's** emphasis on skills development, digitalization and opening opportunities in e-commerce. By empowering consumers in the digital age, the NCC helps

ensure consumers are informed, which in turn supports the growth of a robust and competitive digital economy.

Illicit trade remains a major challenge threatening the competitiveness and growth of the domestic economy, with the influx of illicit and low-quality goods. It is therefore crucial to put in place measures to prevent illicit and low-quality goods from entering the domestic market particularly CFTL, batteries, furniture and undervalued products. To respond to these challenges there is the need for deeper collaboration with other regulators for effective enforcement, stiffer penalties on suppliers supplying non-compliant goods and need to develop a digital system for tracking transactions, including e-commerce, in the ecosystem.

To achieve these objectives, the NCC will work in close collaboration with **the dtic** and its various entities, including standard setting bodies and regulators such as the SABS, NRCS, Competition Commission and ITAC, as well as entities with related mandates in certain aspects, namely, Border Management Authority, South African Revenue Service and South African Police Service. This collaborative approach ensures that consumer protection policies are aligned with broader economic policies and contribute to **the dtic's** overarching goal of achieving sustainable and inclusive economic growth.

Skills development is a major driver of industrial development and progress. The NCC will enter into a strategic partnership with the Public Service Sector Education and Training Authority (PSETA). This collaboration aims to strengthen ongoing training and development of interns and workplace skills training. PSETA will, where feasible, provide funding of the internship programme and workplace skills training to ensure improved training outcomes.

There are continuous challenges in the external environment that the NCC will continue to respond to. In addition, there are ever present risks of cyber-attacks, and in this period the NCC will strengthen its capacity to respond to these risks and will also be migrating most of its systems to the cloud.

The NCC will strive to contribute to a competitive economy that promotes innovation, protects consumers, and drives South Africa's economic development through industrialisation in line with the vision and goals of the MTDP.

## ACKNOWLEDGMENTS AND APPRECIATION

I thank the executive, management and the NCC current and former staff for their dedication and effort throughout the previous strategy execution period.

I equally thank the Audit and Risk Committee members and the Internal and External Auditors for the support and assurance provided. I express my gratitude to the DDG: CCRB, Dr Evelyn Masotja and DG Simphiwe Hamilton for support, Deputy Ministers Zuko Godlimpi and Andrew Whitfield and Minister Parks Tau for strategic guidance and overall support.



**Mr H. Ratshisusu**

**Acting Commissioner**

## Official Sign Off

It is hereby certified that this strategic plan:

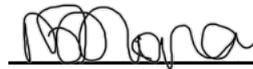
- Was developed by the management of the NCC under the guidance of the Executive Authority;
- Takes into account all the relevant policies, legislation, and other mandates for which the NCC is responsible; and
- Accurately reflects the impact, strategic outcomes and outputs which the NCC will endeavour to achieve over the period from 1 April 2025 to 31 March 2030



**Dr Tom Tshitangano**  
Chief Information Officer

12/06/2025

Date



**Ms Tebogo Mmonwa**  
Chief Financial Officer

12/06/2025

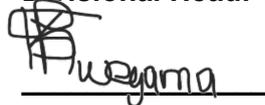
Date



**Ms P Moilwa**  
Divisional Head: Complaints and Investigations

12/06/2025

Date



**Ms P Kweyama**  
Divisional Head: Education and Advocacy

12/06/2025

Date



**Mr J Mbeje**  
Divisional Head: Enforcement and Legal Services

12/06/2025

Date



**Mr L Nhlapo**  
Acting Company Secretary

12/06/2025

Date



**Ms T Mabuza**  
Deputy Commissioner

12/06/2025

Date



**Mr H. Ratshisusu**  
Acting Commissioner

12/06/2025

Date

# PART A



## OUR MANDATE

# REPAIR



The NCC derives its  
mandate from  
section 85 of the  
CPA



NEWS AND UPDATES

## Part A: Our Mandate

### 1. Constitutional Mandate

Through its legislative mandate and its promotion of fair business practices, the NCC plays a significant role in upholding and preserving the principles enshrined in the Bill of Rights. Specifically, the NCC has a direct impact on the following areas within the Constitution of the Republic of South Africa, under the Bill of Rights section:

#### 1.1. Sub-section 9: Equality

Through remaining accessible to diverse groupings of consumers, the NCC plays its role in ensuring that parties have the right to equal protection and benefit of the law. Additionally, the NCC strives through its value system to respect human diversity and ensure that no form of discrimination of consumers is tolerated.

#### 1.2. Sub-section 10: Human dignity

The NCC ensures that prohibited conduct on the part of suppliers of goods and services, as well as the relevant action thereto, does not impair human dignity.

#### 1.3. Sub-section 14: Privacy

The NCC ensures that the privacy of persons is protected.

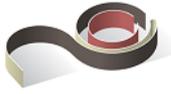
#### 1.4. Sub-section 33: Just administrative action

The NCC ensures it applies the rules of natural justice in its decisions.

#### 1.5. Schedule 4 of the Constitution

Provides that consumer protection is an area of concurrent jurisdiction between national and provincial governments. This means that both levels of government assume responsibility in so far as consumer protection is concerned. Section 146 (2) (b) of the Constitution provides that national legislation applies uniformly with regard to the country as a whole and prevails over provincial legislation if, amongst other things, the following conditions are met:

1.5.1. The national legislation deals with a matter that cannot be regulated effectively by legislation enacted by the respective provinces individually.



1.5.2. The national legislation deals with a matter that, to be dealt with effectively, requires uniformity across the nation, and the national legislation provides that uniformity by establishing:

- Norms and standards;
- Frameworks; and
- National policies.

1.5.3. The national legislation is necessary for the:

- Protection of the common market in respect of the mobility of goods, services, capital and labour;
- Promotion of economic activities across provincial boundaries; and
- Promotion of equal opportunity or equal access to government services.

1.6. The CPA entrenches national consumer protection policy as well as norms and standards.

## **2. Legislative and policy mandates**

### **2.1 THE CONSUMER PROTECTION ACT**

The Consumer Protection Act (No. 68 of 2008) (CPA) aims to promote and advance the social and economic welfare of consumers by:

- a) Establishing a legal framework for the achievement of a fair, accessible, responsible and sustainable market;
- b) Reducing any disadvantages experienced in accessing the supply of goods and services by low income, low literacy, rural and vulnerable consumers;
- c) Promoting fair business practices;
- d) Protecting consumers from unfair and deceptive conduct;
- e) Improving consumer awareness; and
- f) Providing for an accessible, efficient and effective system of redress.

The main functions of the NCC are to:

- a) Improve consumer protection through education and awareness interventions;
- b) Improve compliance with the CPA through business guidance interventions;
- c) Receive complaints concerning alleged prohibited conduct and deal with them as prescribed by the provisions of the CPA;
- d) Monitor the consumer goods and services market to prevent, detect and/ or prosecute contravention;
- e) Conduct investigations against suppliers allegedly engaging in prohibited conduct
- f) Issue and enforce compliance notices;
- g) Negotiate and conclude undertakings and consent orders; and
- h) Refer matters to the NCT and appear before the NCT.

The NCC is responsible for enforcing the CPA and investigating consumer complaints. Where the investigation reveals that the CPA has been contravened, that finding is not the end of the matter as the NCC has to refer the case to the National Consumer Tribunal (NCT) for adjudication. The NCT adjudicates cases referred by the NCC and has the authority to hear cases, make rulings, and impose penalties on businesses that breach consumer protection laws.

## 2.2 THE MEDIUM-TERM DEVELOPMENT PLAN

The Medium-Term Development Plan (MTDP) is a strategic framework designed to guide South Africa's development over the next five years. This plan focuses on three primary objectives:

- a) **Driving Inclusive Economic Growth and Job Creation:** Government aims to achieve a 3% economic growth rate by implementing structural reforms, particularly in critical sectors like energy, transport, and logistics. These reforms are intended to remove obstacles hindering growth and to foster an environment conducive to investment and employment opportunities.
- b) **Reducing Poverty and Addressing the High Cost of Living:** The MTDP emphasizes the importance of supporting rural enterprises and investing in public infrastructure in underserved areas. By prioritizing land reform and enhancing post-

settlement support, the plan seeks to empower marginalized communities and ensure equitable access to resources.

- c) Building a Capable, Ethical, and Developmental State:** To enhance service delivery and governance, the plan includes measures to strengthen municipal governance, revise policy frameworks, and implement targeted empowerment initiatives. This involves appointing qualified individuals to senior municipal positions and ensuring independent oversight of the appointment processes.

The MTDP aims to address South Africa's key socio-economic challenges over the next five years. Its main **aims** include:

- a) Accelerating Economic Growth and Job Creation**
- Targeting a 3% economic growth rate by implementing structural reforms in key sectors like energy, transport, and logistics.
  - Encouraging investment and industrialization to create sustainable jobs.
  - Supporting small businesses, agriculture, and rural enterprises.
- b) Reducing Poverty and Improving Living Standards**
- Addressing the high cost of living by investing in public infrastructure, social security, and basic services.
  - Advancing land reform and providing better post-settlement support for land beneficiaries.
  - Strengthening food security programs and supporting local economic development.
- c) Enhancing Governance and Service Delivery**
- Building a capable, ethical, and developmental state by improving government efficiency and accountability.
  - Ensuring municipal governance reforms by appointing qualified officials and strengthening oversight mechanisms.
  - Tackling corruption and maladministration in both the public and private sectors.
- d) Investing in Human Capital and Social Development**
- Strengthening education and skills development to prepare the workforce for the Fourth Industrial Revolution.



- Expanding healthcare services and improving social welfare programs.
- Supporting vulnerable communities through social grants and youth employment initiatives.

**e) Sustainable Development and Climate Resilience**

- Promoting green energy solutions and reducing reliance on fossil fuels.
- Improving water and environmental management to address climate change risks.

## 2.3 THE INDUSTRIAL POLICY

South Africa's Industrial Policy for 2025-2030 is centred around decarbonization, diversification, and digitalization, aiming to drive sustainable economic growth, global competitiveness, and inclusive development.

**a) Decarbonization: Transitioning to a Low-Carbon Economy**

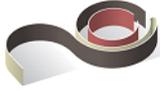
**Key Strategies:**

- **Renewable Energy Expansion:** Through the Renewable Energy Independent Power Producer Procurement Programme (REIPPPP), South Africa is increasing investments in wind, solar, and hydro energy.
- **Green Hydrogen Development:** The government is exploring green hydrogen projects with international funding, including a \$35 million EU grant to support clean energy infrastructure.
- **Carbon Tax and Emissions Reduction:** The introduction of a carbon pricing mechanism aims to encourage industries to shift towards low-carbon technologies.
- **Just Energy Transition Plan (JETP):** With \$8.5 billion in funding from international partners, South Africa is working to phase out coal dependency while protecting workers and communities in affected regions.

**b) Diversification: Strengthening Economic Resilience**

**Key Strategies:**

- **Sectoral Master Plans:** Supporting high-growth sectors such as automotive manufacturing, steel, pharmaceuticals, and agribusiness.



- **Export Market Expansion:** Diversifying trade partnerships beyond China and the EU, and increasing African intra-trade under the African Continental Free Trade Agreement (AfCFTA).
- **Tourism and Creative Economy:** Investing in film, music, and digital content creation, as well as boosting eco-tourism and heritage tourism.
- **Agricultural Innovation:** Strengthening precision farming, agritech, and sustainable food security programs.
- **Infrastructure Development:** Encouraging public-private partnerships to modernize transport, logistics, and energy infrastructure.

### c) **Digitalization: Advancing the Fourth Industrial Revolution**

South Africa is embracing **digital transformation** to enhance economic efficiency, expand technological access, and prepare the workforce for the future.

#### **Key Strategies:**

- **5G and Broadband Expansion:** Increasing digital connectivity, particularly in rural and underserved areas.
- **Digital Skills Development:** Training young professionals in AI, cybersecurity, robotics, and data analytics ETC.
- **E-Government & Smart Services:** Enhancing public sector efficiency by digitizing tax filing, smart ID applications, and health records.
- **Fintech and E-Commerce Growth:** Expanding mobile banking, digital payments, and blockchain technology to improve financial inclusion.

The Industrial Policy is to respond to priorities of the 7<sup>th</sup> Administration, namely, high unemployment levels particularly of young people, high levels of poverty, high cost of living, and reversing the current slow growth path and deal with the levels of inequality.

### **3. Institutional Policies and Strategies governing the five-year planning period**

#### **3.1 Strategic focus for the five-year planning period**

The NCC's strategies are derived from the national policies outlined above to ensure alignment between the focus areas of the NCC and that of government.

The NCC has aligned its work to contribute to the government's policies through the implementation of its governing legislation. The NCC has identified the following strategic objectives:

- a) Contribute to Government's industrialization goals.
- b) Curb prohibited conduct.
- c) Address the high cost of living.
- d) Efficient delivery of services.

To achieve these strategic objectives, the NCC will pursue the following outcomes:

- a) Eradication of practices that undermine local production and industrialization.
- b) Reduced harm suffered by consumers from unsafe products, unfair trading practices and unfair pricing.
- c) More efficient, predictable, and sustainable local economic environment through harmonised consumer protection interventions.
- d) Increased business and consumer awareness of the CPA.
- e) Increasing skills and work experience for the economy.
- f) Contribution to the realization of a capable state.

To achieve these strategic objectives, the NCC has identified key priority areas, namely:

- a) Unsafe and expired foods;
- b) Second-hand automotive industry;
- c) Unfair and unreasonable pricing of goods and services;
- d) Unfair and unreasonable terms and conditions;
- e) Non-compliant Clothing, Textile, Footwear and Leather goods (CTFL);
- f) Market monitoring of low-quality and substandard locally produced or imported goods;

- g) False claims on carbon friendly goods (green washing);
- h) Scams and Ponzi schemes; and
- i) E-commerce.

In this period, the NCC will implement measures to strengthen collaboration with other regulatory authorities, particularly with entities within **the dtic**, namely, standard setting bodies and regulators including SABS, NRCS, Competition Commission, ITAC as well as various Government departments (National Department of Health, Department of Agriculture, Forestry, Fisheries and Environment) and related entities. The NCC will also strengthen oversight over ombud schemes, namely, the Motor Industry Ombuds of South Africa and the Consumer Goods and Services Ombud.

### **Required legislative reforms to address deficiencies in the Consumer Protection Act**

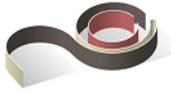
The CPA plays a pivotal role in safeguarding consumer rights in South Africa. However, to effectively address emerging challenges, the CPA needs to be updated and amended to address its existing deficiencies and ensure greater consumer protection in an evolving marketplace. The following are the identified areas for consideration:

#### **a) Closing Gaps in Consumer Rights Protection**

- Extend coverage to new business models such as e-commerce, gig economy services, and digital platforms, ensuring that online consumers are equally protected.

#### **b) Strengthening Enforcement and Compliance Mechanisms**

- Empower regulatory bodies: The amendment should enhance the powers of the NCC and other relevant bodies to investigate complaints more effectively and to impose stronger minimum fines and penalties for non-compliance.
- Penalties for violations such as false advertising, price gouging, and product misrepresentation should be strengthened to deter fraudulent practices.



**c) Improving Product Safety and Quality Standards**

- Product safety: The amendment should introduce more stringent checks and measures for product safety, particularly in sectors where consumer risk is high, such as food, health products, and electrical appliances.

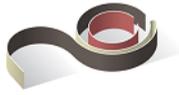
**d) Removal of Prescription Periods**

Section 116 (1) of CPA, imposes time limits for referral of cases to the Tribunal. These limits are prejudicial to consumers. This should be amended because:

- Many consumers may not immediately realize they have a claim. Strict prescription periods may prevent them from seeking justice once they become aware.
- Suppliers who engage in deceptive or harmful practices intentionally delay legal action until the claim prescribes, effectively escaping responsibility.
- With modern technology, evidence can be preserved for long periods, reducing the need for strict time limits.
- Some legal disputes take years to uncover. Short prescription periods unfairly benefit powerful entities over consumers.

**e) Authority to Issue Guidelines**

Section 97 authorises the NCC to issue non-binding opinion on the interpretation of the provisions of the CPA. This authority should be extended to permit the NCC to issue guidelines on the NCC's policy approach to any matter within its jurisdiction in terms of the CPA.

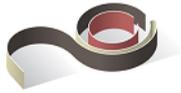


#### 4. Updates to Relevant Court Rulings

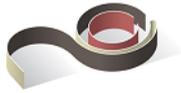
The NCC appraises the rulings and decisions of the High Courts and the NCT regularly. The NCC considers the likely impact of these decisions when crafting our strategic plans. A summary of recent court decisions and rulings is provided below:

**Table 1: Update to relevant court rulings**

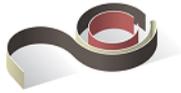
No.	Matter Name	Court & Case reference number	Legal issues and status
4.1	Soulever Wellness V NCC	NCT/159598/2020/101(1)	<p><b>NATURE OF MATTER:</b> This was an application for review of a Compliance Notice. The Importer had Imported Goods stating, “made in South Africa” and the NCC issued a Compliance Notice stating that the Importer has, amongst others, contravened Section 24(2)(a) read with Regulation 6(1)(b):</p> <p><b>RULING:</b> 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><b>GUIDANCE:</b> 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>



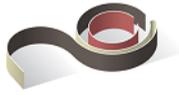
No.	Matter Name	Court & Case reference number	Legal issues and status
4.2 .	NCC V National Auto Brokers	NCT/172929/2020/73(3)	<p><b>NATURE OF THE MATTER:</b> This was an Application in terms of Section 73(2) (b) for alleged contravention of Section 56(2)(a).</p> <p><b>PRINCIPLE FOR DETERMINATION:</b> The matter was referred to the Tribunal more than 3 years after the cause of the complaint. The NCT mero motu raised the issue of prescription. This was the first matter that came up for determination following the Ludick decision.</p> <p><b>RULING:</b> The NCT ruled that the matter has prescribed.</p> <p><b>GUIDANCE:</b> The NCC is urged to be conscious of timeframes 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>
4.3	NCC V Brilliant Autoworx	NCT-194166-2021-73(2)(b)	<p><b>NATURE OF THE MATTER:</b> 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><b>ISSUES FOR DETERMINATION:</b> 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><b>RULING:</b> 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><b>GUIDANCE:</b> 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</p>



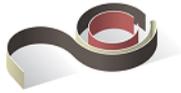
No.	Matter Name	Court & Case reference number	Legal issues and status
			<p>suppliers to abandon the business and to start a similar business under a new name. The supplier can't be traced at present.</p>
4.4	NCC V Ismacube	NCT/138658/2020/73(2)(b)	<p><b>NATURE OF THE MATTER:</b> This is an Application 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><b>ISSUES FOR DETERMINATION:</b> The matter was originally opposed, and the supplier raised various legal issues.</p> <p><b>RULING:</b> 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><b>GUIDANCE:</b> 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. The supplier can't be traced at present.</p>
4.5	NCC V Selina Sandra Kasner	NCT/176450/2021/100(6)(a)	<p><b>NATURE OF THE MATTER:</b> This is an Application in terms of Section 100(6) for failure to comply with a Compliance Notice</p> <p><b>ISSUES:</b> The Importer admitted non-compliance with the Compliance Notice but prayed for leniency.</p>



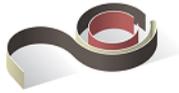
No.	Matter Name	Court & Case reference number	Legal issues and status
			<p><b>RULING:</b> An Administrative fine of R 10 000,00 was imposed upon the Importer.</p> <p><b>GUIDANCE:</b> This matter was a breakthrough matter and created a precedent as there is a few Importers that do not comply once they 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>
4.6	NCC V Titan Trade Auto	NCT/183856/2021/73(2)(b)	<p><b>NATURE OF THE MATTER:</b> This is an Application in terms of Section 73 (2) (b) for an order in terms of Section 56(2) (b).</p> <p><b>ISSUES FOR DETERMINATION:</b> 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><b>RULING:</b> 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><b>GUIDANCE:</b> 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>



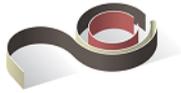
No.	Matter Name	Court & Case reference number	Legal issues and status
4.7	NCC V Jida Auto Investments	NCT/158339/2020/73(2)(b)	<p><b>NATURE OF THE MATTER:</b> This is an Application in terms of Section 73 (2) (b) for an order in terms of Section 56(2) (b) (refund of the Purchase Price).</p> <p><b>ISSUES FOR DETERMINATION:</b> 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><b>RULING:</b> 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><b>GUIDANCE:</b> 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>



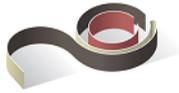
No.	Matter Name	Court & Case reference number	Legal issues and status
4.8	NCC V The Turbo Man CC	NCT/174555/2020/73(2)(b)	<p><b>NATURE OF THE MATTER:</b> This was an application for contravention of section 26(2) and (3) and section 56 (3) of the CPA in that three consumers took their vehicles for repairs 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><b>PRINCIPLE:</b> Whether the referral of the matter to MIOSA interrupts prescription in terms of section 116 of the CPA</p> <p><b>RULING:</b> 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><b>GUIDANCE:</b> 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>
4.9	NCC V Boats Cape Town	NCT/178143/2021/73(2)	<p><b>NATURE OF THE MATTER:</b> 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</p>



No.	Matter Name	Court & Case reference number	Legal issues and status
			<p>Respondent’s defence is that the consumer knew that he was not an owner and therefore acting as an intermediary.</p> <p><b>PRINCIPLE:</b> 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><b>RULING:</b> 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><b>GUIDANCE:</b> 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>
4.10	Barnado v NCC & others	High Court, Gauteng Division- Case NO: 47933/17	<p><b>NATURE OF THE MATTER:</b> 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><b>PRINCIPLE:</b> 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>



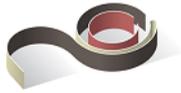
No.	Matter Name	Court & Case reference number	Legal issues and status
			<p><b>GUIDANCE:</b> Investigation and enforcement of outcome of the investigation report must be done speedily to promote the spirit and purpose of the CPA, failing which, there is a risk of court order being granted against the NCC.</p>
4.11	NCC V Auto Basic Traders	NCT/171786/2020/73(2)(b)	<p><b>NATURE OF THE MATTER:</b> 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><b>APPLICABLE SECTION OF CPA:</b> Section 55 (2) (b) read with section 56 (3) relating to right of the consumer to safe, good quality goods.</p> <p><b>PRINCIPLE:</b> 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 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>



No.	Matter Name	Court & Case reference number	Legal issues and status
			<p><b>RULING:</b> 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><b>GUIDANCE:</b> 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>
4.12	NCC V Kempster Sedgwick t/a CMH Used Cars	NCT/210256/2021/73(2)(b)	<p><b>NATURE OF THE MATTER:</b> 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><b>APPLICABLE SECTION of the CPA:</b> Interpretation of section 55 (2) of the CPA i.e. right to safe and good quality goods.</p> <p><b>PRINCIPLE:</b> 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 the purpose for which</p>



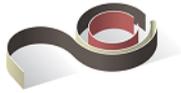
No.	Matter Name	Court & Case reference number	Legal issues and status
			<p>the vehicle is generally used (i.e., means of transport) but also consider the extent of harm which the defect can cause.</p> <p><b>GUIDANCE:</b> Each case should be assessed on its own merits, where the assessor is not sure, advice should be obtained from legal services.</p>
4.13	NCC vs BNA Motors (Pty) Ltd	NCT/269487/2023/73(2)(b)	<p><b>NATURE OF THE MATTER:</b> 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. The 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><b>APPLICABLE SECTION of the CPA:</b> Sections 29 (1) (a) and (c), 41 (1) (a) and (c), and 56 (2) (a) and (b).</p> <p><b>RULING:</b> 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>
4.14	NCC vs ACS Pre Owned (Pty) Ltd	NCT/222616/2022/73(2)(b)	<p><b>NATURE OF THE MATTER:</b> 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</p>



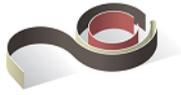
No.	Matter Name	Court & Case reference number	Legal issues and status
			<p>2020 with an odometer reading of 41 400 kilometres. The vehicle manifested symptoms of various defects the next day. The consumer requested the supplier to collect the vehicle to effect repairs. The supplier refused to collect the vehicle from the consumer.</p> <p><b>APPLICABLE SECTION OF CPA:</b> Section 55 (2)(a-d) read with section 56 (2) relating to right of the consumer to safe, good quality goods.</p> <p><b>PRINCIPLE:</b> 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><b>RULING:</b> The supplier was ordered to refund the amount of R589 900.00.</p>
4.15	NCC vs Headzone Workshop (Pty) Ltd; Headzone (Pty) Ltd; Wicked Cars (Pty) Ltd	NCT/246932/2022/73(2)(b)	<p><b>NATURE OF THE MATTER:</b> 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>



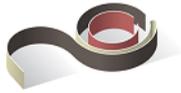
No.	Matter Name	Court & Case reference number	Legal issues and status
			<p><b>APPLICABLE SECTION OF CPA:</b> Section 15 (2) (a) and (b) outlines that a service provider must not charge a consumer for the supply of any goods or services contemplated in subsection (1) unless—(a) the supplier or service 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) 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><b>PRINCIPLE:</b> 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><b>RULING:</b> The supplier was ordered to pay R81,900.00 to the consumer and R200 000.00 administrative fine.</p>
4.16	NCC vs VODACOM (Pty) Ltd	CT/260497/2023/73(2)(b)	<p><b>NATURE OF THE MATTER:</b> 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</p>



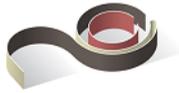
No.	Matter Name	Court & Case reference number	Legal issues and status
			<p>payment of all outstanding fees and the cancellation penalty before contracts were terminated on request. Consumers further alleged that they were coerced to sign the acceptance quotation letter (that was valid for 12 days) and return the letter to Vodacom with proof of payment in order to cancel their contracts.</p> <p><b>APPLICABLE SECTION OF CPA:</b> Vodacom contravened the following sections of the CPA:</p> <ul style="list-style-type: none"> <li>• 14 (3) read with regulation 5;</li> <li>• 14 (3) (b) (i) (bb);</li> <li>• 14 (2) (b) and (c);</li> <li>• 29 (b) (i) (ii); and</li> <li>• 40(1) (b) and (d).</li> </ul> <p><b>GUIDANCE:</b> 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><b>RULING:</b> Vodacom’s conduct was declared unconscionable and prohibited and was ordered to pay an administrative fine of R1 million.</p>
4.17	NCC V BAJ AUTO INVESTMENTS (PTY) LTD T/A	NCT/340381/2024/73(2)(b)	<p><b>NATURE OF THE MATTER:</b> The investigation by the NCC, which revealed that the consumer’s 2012 Volkswagen Amarok purchased from BAJ Auto Investments (PTY) Ltd, broke down (engine failure) within five (5) days of purchase. The supplier ignored</p>



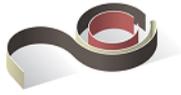
No.	Matter Name	Court & Case reference number	Legal issues and status
	AUTO INVESTMENT VANDERBIJLPARK		<p>the consumer's request for redress. The supplier made the complainant to also sign a mechanical warranty waiver certificate wherein it exonerated itself from liability in the event of a breakdown or failure.</p> <p><b>APPLICABLE SECTION OF CPA:</b> The contravening sections 56(2) read with 55(2)(c) and sections 51(1)(a) and (b) of the CPA.</p> <p><b>GUIDANCE:</b> The case highlights the legal responsibility of suppliers to ensure that goods sold are not defective and that they take accountability for any issues that arise shortly after the sale. The supplier's refusal to repair the vehicle despite it being defective at the time of sale resulted in a financial penalty and legal consequences. This could serve as a deterrent to other businesses from neglecting consumer rights.</p> <p><b>RULING:</b> The respondent was found guilty of prohibited conduct for refusing to repair the vehicle and was ordered to refund the consumer R31,088.28 and Innovation Group R75,000. An administrative fine of R100,000 was imposed, and the respondent was prohibited from engaging in similar conduct in the future.</p>
4.18	NCC VS BRAAI BLOCK	<b>NCT/341406/2024/73(2)(b)</b>	<p><b>NATURE OF THE MATTER:</b> The NCC initiated an investigation into the respondent, Braai Block (Pty) Ltd's conduct, after receiving a tip-off about potential violations of the Consumer Protection Act (CPA). The allegations were that the respondent failed to include the location of its trading address on tax invoices and charged a varying service fee on transactions, depending on the price of each meal. The NCC</p>



No.	Matter Name	Court & Case reference number	Legal issues and status
			<p>conducted an investigation, confirming that the respondent’s sales records did not show the location of the business and that service fees were charged inconsistently.</p> <p><b>APPLICABLE SECTION OF CPA:</b> Sections 23(6)(a) and 26(3)(b) of the CPA.</p> <p><b>GUIDANCE:</b> The Tribunal's ruling emphasizes that businesses must adhere strictly to the requirements of price display under the CPA. The violation of charging consumers more than the displayed price reinforces the importance of price transparency in transactions. This case sets a clear precedent that any deviations from displayed pricing are considered a contravention of the CPA, strengthening the protection of consumers from deceptive pricing practices.</p> <p><b>RULING:</b> The respondent is required to pay an administrative fine of R1,000,000.00 within 90 days.</p>
4.19	UNICITY TRADING T/A CAPE SUV vs NCC & 3 OTHERS	<b>A76/2024 – HIGH COURT</b>	<p><b>NATURE OF THE MATTER:</b> The second applicant (Consumer) purchased a 2013 Daihatsu Terios for R151,900. The vehicle had multiple faults, repaired three times by the respondent. After the third repair, the vehicle broke down due to a gearbox failure. The second applicant requested a refund, but the respondent did not comply. The second applicant filed a complaint, leading the first applicant to investigate and find the respondent in violation of the CPA. The Tribunal ruled that the complaint was timely, and the second applicant was entitled to a refund under section 56(3) of the CPA, as the gearbox failure occurred within three months after repairs. The Tribunal rejected the respondent's claim of impaired driving and dismissed requests for an</p>



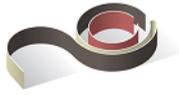
No.	Matter Name	Court & Case reference number	Legal issues and status
			<p>administrative fine and costs. The second applicant was awarded a full refund. The respondent appealed the Tribunal Ruling at the High Court.</p> <p><b>APPLICABLE SECTION OF CPA:</b> Section 116 and 56(3).</p> <p><b>GUIDANCE:</b> The case offers guidance for future consumer complaints under the CPA, making it clear that consumers can seek refunds for defective goods even after multiple repairs, promoting fairness in the marketplace.</p> <p><b>RULING:</b> The High Court confirmed the Tribunal ruling and dismissed the appeal.</p>
4.20	NCC & 1 OTHER vs CAR CARE CLINIC WILROGATE (PTY) LTD T/A CAR CARE CLINIC SERVICE CENTRE	NCT/287279/2023/73(2)(b)	<p><b>NATURE OF THE MATTER:</b> The consumer paid R115,000 for an engine replacement by the respondent in June 2020. After collecting the vehicle, issues arose, including an oil reading problem and a "restricted performance" warning. In September 2020, the engine caught fire, and the respondent denied fault, attributing the fire to a fuel leak in November 2020. The first applicant filed a complaint with the Tribunal on 15 September 2023. The Tribunal ruled the complaint was based on the engine installation, which occurred before September 2020, meaning it should have been filed by July 2023. As the complaint was filed late, the Tribunal dismissed the case, stating it was time-barred and awarded no costs.</p> <p><b>APPLICABLE SECTION OF CPA:</b> Section 116 of the CPA.</p> <p><b>GUIDANCE / IMPACT:</b> The impact of this case is primarily related to the strict application of the three-year limitation period set out in Section 116(1) of the Consumer Protection Act (CPA). The case highlights the Tribunal's strict adherence</p>



No.	Matter Name	Court & Case reference number	Legal issues and status
			<p>to the three-year time limit for filing complaints under the CPA. Even if the consumer experiences ongoing issues or new developments (like the respondent refusing to repair the vehicle), the clock starts ticking from the original act or omission, not from the latest incident. This reinforces the importance of acting promptly in filing complaints. The ruling reinforces that the Tribunal has limited discretion to extend the three-year period. The Tribunal is bound by previous case law, such as the High Court ruling in <i>First Rand Bank Ltd v Ludick</i>, which restricts its ability to apply extensions or interruptions to the time limit. This clarifies the Tribunal’s jurisdictional boundaries and limits the scope for delays in filing complaints. In cases where there are continuing issues, the time period begins from the original act, and failing to address complaints within the prescribed time frame may result in a case being dismissed. This ruling limit access to justice by consumers affected by time frames.</p> <p><b>RULING:</b> The NCC’s application is dismissed.</p>
4.21	JULIE WILLIAMS vs CELL C LTD	NCT/300948/2023/75(1)(b)	<p><b>NATURE OF THE MATTER:</b> The applicant increased her cellular contract limit and activated international roaming. After exceeding her limit in France, she was invoiced R11,265.32. Despite objections by the consumer, the respondent upheld the charges. The National Consumer Commission issued a non-referral, but the applicant referred her complaint to the Tribunal. The applicant claimed she misunderstood the terms, believing her limit was R3,785. She argued the charges exceeded this limit and were unfair, violating the CPA. The respondent argued the</p>



No.	Matter Name	Court & Case reference number	Legal issues and status
			<p>applicant was aware of the terms and the delays in billing. The Tribunal found the respondent's wording of the terms, especially clause 2, was ambiguous and misleading, leading the applicant to believe her limit was effectively set. The respondent's conduct violated several CPA provisions, including unfair pricing and failing to enforce the limit properly.</p> <p><b>APPLICABLE SECTION OF CPA:</b> Sections 4(4)(a); 4(5)(b); 48(1)(a)(i)(ii) and c(iii); 54(1)(b); 51(1)(b)(i)(ii) and (iii) of the CPA.</p> <p><b>GUIDANCE / IMPACT:</b> The Tribunal's ruling reinforces consumer protection under the CPA by holding the respondent accountable for unfair and misleading billing practices. The respondent must refund R7,480.32, pay a R500,000 fine, and stop similar conduct in the future. This decision sets a precedent for transparent business practices, ensures consumers are not financially burdened by unjust charges, and promotes corporate accountability.</p> <p><b>RULING:</b> The Tribunal ordered the respondent to refund R7,480.32 within 30 business days, Stop similar conduct in the future, pay a R500,000 administrative fine and to cover the applicant's legal costs.</p>



The cases brought before the NCT, and other courts demonstrate the evolution of legal interpretations and enforcement of the CPA. Consumer rights concerning product quality and contract fairness remain central themes, with suppliers increasingly held accountable for failing to meet their obligations. However, enforcement challenges persist, particularly when suppliers evade compliance by dissolving and reestablishing under new names. Recent decisions reinforce the need for transparency in vehicle sales and adherence to refund obligations and the evolving scrutiny on corporate practices affecting consumers. These cases collectively reflect a strengthening of consumer protection but also underscore ongoing hurdles in enforcement and regulatory oversight.



# PART B

## OUR STRATEGIC FOCUS



## Part B: Strategic Focus

### 1. Vision

The Vision of the NCC is: **A marketplace for consumer goods and services that benefits consumers and contributes to economic growth, industrialization and sustainability.**

### 2. Mission

The Mission of the NCC is to: **Curb unfair business practices for a fair, safe and sustainable marketplace for consumer goods and services.**

### 3. Values

The following values inform everything that the NCC does:

- **Fairness:** We are committed to just treatment of all parties and unbiased decision making.
- **Integrity:** We are committed to honest, professional, and ethical conduct.
- **Good corporate governance:** We strive to always maintain good corporate governance.

### 4. Situational analysis

The NCC operates in an ever-changing environment, and it strives to keep abreast of these changes. The NCC is influenced by government policies and regulations. Changes in political leadership and policy direction necessitate that the NCC reviews its approach in the delivery of its mandate, reassess its risk posture and operations.

As government's priorities are around inclusive growth, poverty reduction and improved efficiencies, the NCC had to shift its paradigm in ensuring that the efforts and priority areas contribute towards the political direction. The current situational analysis of the NCC in terms of the PESTEL framework is assessed below:

#### 4.1. Political

The NCC operates under the CPA, which is influenced by government policies and regulations. Changes in political leadership or policy direction can impact its mandate, risk appetite and operations.

#### 4.2. Economic

Economic factors such as inflation, unemployment, and economic growth influence consumer behaviour and the types of complaints the NCC receives. Economic downturns can lead to increased consumer grievances.

##### 4.2.1. Global and Domestic Economic Outlook

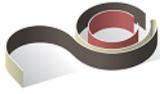
The global economy is projected to grow by 3.1% in 2024 and 3.2% in 2025, suggesting some relief for consumer markets through inflation moderation and stable growth. However, higher interest rates are expected to sustain elevated prices for goods and services. This combination of factors will directly affect consumer spending, household income, and consumer expectations.

In South Africa, economic growth remains subdued, with real GDP increasing by just over 1%. Interruptions in supply chain processes caused by geopolitical tensions affect consumer markets. Limited availability of goods, rising costs, and reduced consumer confidence are prominent issues. Employment growth has been positive but not sufficient to put a dent on unemployment, leaving many consumers vulnerable.

##### 4.2.2. Impact of High Prices on Consumer Behaviour

Whether at a global or local level, high prices have significant effects on consumers, leading to an increase in complaints, including:

- a) **Higher Expectations for Quality:** Rising prices result in heightened expectations regarding product quality, durability, and service standards. Any shortfall leads to dissatisfaction, with more consumers scrutinizing the value for money.



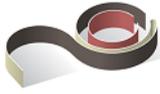
- b) **Financial Strain and Economic Pressure:** Elevated costs prompt consumers to closely monitor their spending, increasing complaints about unexpected fees, incorrect charges, and affordability issues. Unfair pricing practices are key concerns.
- c) **Increased Scrutiny of Services:** Consumers expect superior customer service and prompt delivery. Any service failures, such as delays, poor communication, or insufficient support, are more likely to result in complaints.
- d) **Durability and Reliability:** Expensive products are expected to be more durable, and any defects or breakdowns often lead to higher dissatisfaction levels and complaints about warranty or repair issues.

As household budgets shrink, consumers are more likely to voice concerns about inflated prices, particularly in competitive markets where they may seek better deals from alternative providers.

- e) **Inferior Products:** Low-income consumers often purchase lower-cost goods that are of inferior quality and lack durability. The demand for low-cost goods creates opportunities for the proliferation of poor-quality products and counterfeit goods that flood our markets.

Under current economic conditions, suppliers are likely to engage in unfair trade practises which include:

- a) **Suppression of Local Industries:** Unfair trade practices, such as dumping cheap products in developing markets, can undermine local industries. When local businesses cannot compete with the low prices of imports, they may shut down, leading to job losses and deepening poverty within communities.
- b) **Monopoly Power and Exploitative Pricing:** In some markets, businesses with significant market power can set prices unfairly high. Unfairly high prices on essential goods and services disproportionately impact low-income consumers. This limits consumer choice and forces low-income individuals to overpay for basic goods, perpetuating economic hardship and inequality.

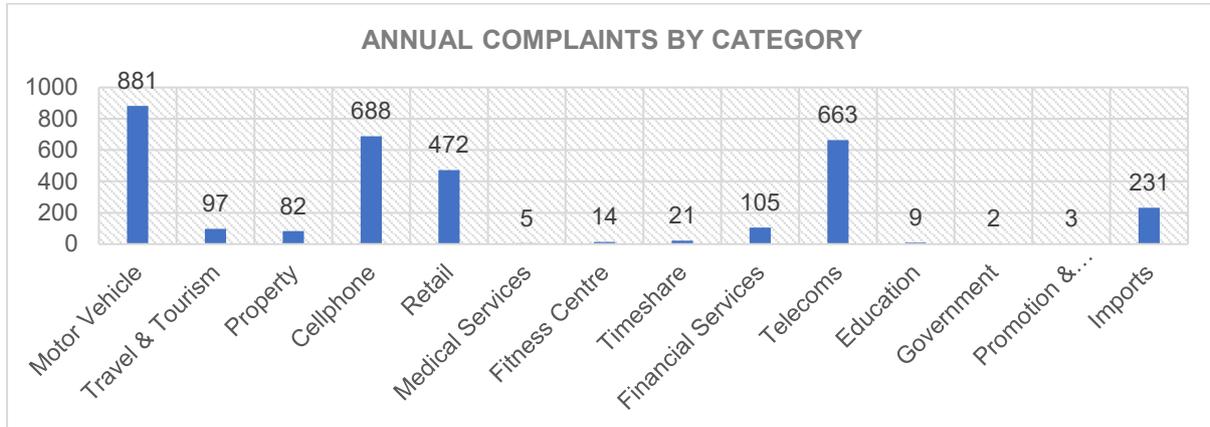


- c) **Planned Obsolescence:** Some manufacturers deliberately design products to fail or become outdated within a short period, forcing consumers to buy replacements more frequently. For low-income individuals, this leads to a continuous cycle of spending on unnecessary items, hindering their ability to save and improve their financial situation.
- d) **Exploitative Service Contracts:** Consumers, particularly in low-income brackets, are often bound by unfair service contracts that impose unreasonable terms or penalties, hidden fees, long-term commitments, or exorbitant early termination charges can place a heavy financial burden on individuals who are already struggling, which concerns have mainly been observed in e-commerce, retail and telecommunication markets.
- e) **Unsafe and Counterfeit Goods:** The sale of counterfeit goods, particularly in low-income areas, can lead consumers to buy unsafe or ineffective products, such as food, and household items. This not only wastes money but can also poses health risks, further exacerbating poverty by increasing medical costs and reducing productivity.
- f) **Non-compliance with Consumer Protection Laws:** Companies engaging in unethical practices often violate consumer protection laws, targeting low-income individuals who lack the knowledge or means to seek redress. The absence of enforcement of these laws in certain regions can perpetuate poverty by allowing exploitation to continue unchecked.
- g) **False Advertising:** Misleading claims about products or services can lead consumers to spend money on items that do not meet their needs or provide the promised benefits. For low-income individuals, this can result in wasted resources that are crucial for their survival or well-being.

The above conditions are also reflected by the increase in complaints and types of complaints received by the NCC. This is borne out by the increase in complaints as demonstrated below:

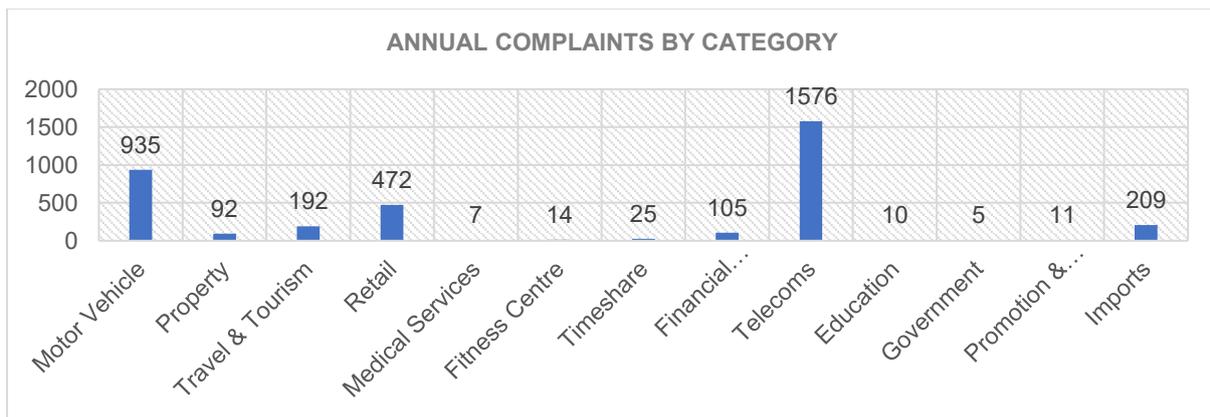
**FY 2021/2022: Total Complaints: 3274**

Figure 1: Complaints by Category



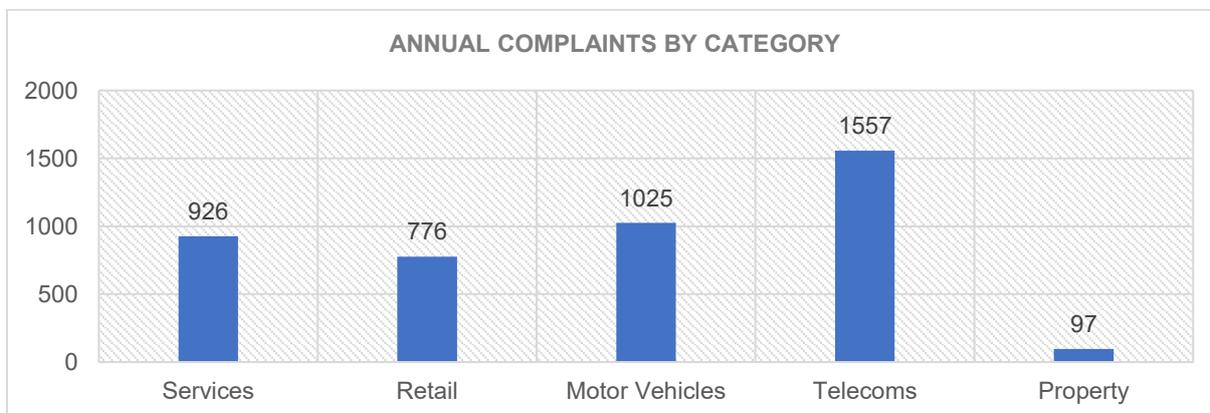
**FY 2022-2023: Total Complaints: 3653**

Figure 2: Complaints by Category



**FY 2023/2024: Total Complaints: 4381**

Figure 3: Complaints by Category



- The National Consumer Commission launched a E Service portal in 2023 which revised the categories.

In response to both global and domestic economic pressures, the NCC must play an active role in safeguarding consumer rights and preventing exploitative practices. Under these economic conditions, the NCC's role in protecting vulnerable consumers becomes even more critical. The NCC can mitigate the impact of both global and domestic economic pressures on consumers, ensuring that their rights are protected and that they are not unduly burdened by unfair pricing or substandard services during times of economic adjustment.

The NCC's budget and resources are dependent on Government funding, which can be further affected negatively by the overall economic climate.

#### 4.3. Social

The level of consumer awareness and education about their rights impacts the volume and nature of complaints. The NCC needs to engage in continuous public education campaigns. South Africa's diverse population, with varying levels of income and education, affects the types of consumer issues that arise. The following social factors are relevant:

- a) **Limited Access to Remedies:** Low-income consumers often face barriers to seeking legal recourse when they are subjected to unfair contract terms or deceptive practices. Lack of awareness, resources, or legal support limits their ability to fight back against such exploitation, leaving them more vulnerable to financial hardship.
- b) **Intrusive unsolicited communication from direct marketers:** Consumers are constantly exposed to intrusive marketing by marketers, and this has significantly increased over the years using multiple channels like emails, mobile phone, landlines, automated calls and similar. The lack of an approved Opt-out Registry (the Registry) for consumers to register a pre-emptive block to prevent marketers from engaging in intrusive marketing infringed the consumers' right to privacy.
- c) **Exclusion from Unfair Pricing:** Unfair trade practices in the consumer market often limit access to fair and competitive pricing, particularly in rural or underserved areas. Without competition, monopolistic or oligopolistic companies can charge excessive prices for essential goods and services, disproportionately affecting low-income populations.

- d) **Digital Divide:** In the modern economy, access to digital platforms can provide consumers with competitive prices and greater choices. However, many low-income individuals are excluded from these benefits due to lack of internet access or technological literacy. This can force them to rely on traditional, often more expensive, markets.

The high cost of living erodes consumers' disposable income. As consumers become more cautious about spending, it leads to consumers being vulnerable to expired foods, substandard goods and food, and non-compliant goods.

#### 4.4. Technological

Advances in technology can help the NCC improve its complaint handling processes and outreach efforts. The NCC has revamped its website to offer consumers a cost-effective self-service capability to file complaints and access information. On the other hand, technology also has significant implications for consumers and the NCC. It brings unique challenges that need to be addressed by the NCC. The ability of new technologies, including Artificial Intelligence, to generate convincing fake content, including deepfakes, fabricated news, and fraudulent digital identities, makes it harder for consumers to discern between real and artificial content.

The NCC analyses and identifies trends, address systemic issues in this space more frequently.

#### 4.5. Environmental

South Africans are becoming aware of and are concerned about the environment and these concerns seem to be influencing their consumer decisions. Most consumers may then incentivise suppliers that purport to offer more sustainable goods and services. However, consumers' rights to make informed decision may be curtailed by a lack of clear, accurate and easily understandable information about the environmental impact of the products, and misleading claims by suppliers.

To address these, the NCC has to collaborate with other regulators in reshaping policies to take action against suppliers that provide misleading claims on their products offered to consumers.

#### **4.6. Legal**

The NCC operates within a complex legal framework that includes various consumer protection laws and regulations. Changes in legislation can impact its operations and risk posture. Ensuring businesses comply with consumer protection laws and effectively enforcing these laws is a continuous challenge.

There is an increasing trend of suppliers appealing NCT judgements which requires the allocation of funds by the NCC to fund the litigation. This places a significant strain on the NCC's limited financial resources.

#### **4.7. Conclusion**

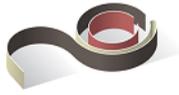
The current economic environment places the majority of consumers under pressure due to high cost of living concerns. The NCC must be responsive to these concerns in its enforcement and case selection process. In addition, technological advancements present both opportunities and challenges. Furthermore, growing concerns around environmental issues, sustainability, prevalence of substandard goods and food safety issues add to the complexity of the NCC's work. Despite these challenges, the NCC remains committed to safeguarding consumer rights, though it faces resource constraints, particularly as the volume of complaints continues to rise.



# PART C

## MEASURING OUR PERFORMANCE





## Part C: Measuring Our Performance

### 5. Institutional Performance Information

#### 5.1. Impact Statement

<b>Impact Statement</b>	<b>Fair business practices, safe and quality consumer goods and services for economic growth, industrialization and sustainability</b>
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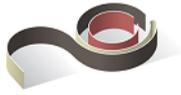
#### 5.2. Measuring our Outcomes

Table 2: MTSF Priority

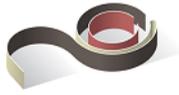
MSTF Priority				
Outcome	Indicator No.	Outcome indicator	Baseline	Five Year Target
<b>PROGRAMME 1: Contribution to Government's industrialization goals</b>				
Decrease in the value of illegal imports and illicit trade in key focus areas (or sectors).	1.	Enforcement action against suppliers of illicit goods, expired goods and illegal imports.	New Outcome	100% enforcement action against suppliers of illicit goods, expired goods and illegal imports.
Decrease in the value of illegal imports and illicit trade in key focus areas (or sectors).	2.	Time taken to finalize CTFL matters to ensure non-compliant CTFL is destroyed or exported to the country of origin and compliant CTFL is released to market.	New Outcome	Finalize CTFL matters within 40 business days.



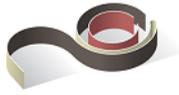
MSTF Priority				
Outcome	Indicator No.	Outcome indicator	Baseline	Five Year Target
Strengthen the domestic economy and increase local and global market competitiveness through increased local procurement spend.	3.	Percentage of preferential procurement from SMMEs in designated groups.	New Outcome	60% of preferential procurement from SMMEs in designated groups
Competitive and complaint industrial parks for development of local industries	4.	Number of business education programs targeted at companies in industrial parks conducted to ensure compliance with the CPA.	New Outcome	20 business education programs targeted at companies in industrial parks conducted
Increasing skills and work experience for the economy.	5.	Number of interns placed by the NCC, accredited ombud schemes, MIOSA and CGSO, and other partners.	New Outcome	100 interns placed by the NCC, accredited ombud schemes, MIOSA and CGSO, and other partners.
PROGRAMME 2: Curb Prohibited Conduct				
Decrease in the value of illegal imports and illicit trade in key focus areas (or sectors).	6.	Time taken to finalize the investigations into Ponzi Schemes, AI and Fake reviews on digital platforms for goods and services, and	New Outcome	Finalize investigations into Ponzi Schemes, AI and fake reviews on digital platforms for goods and



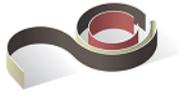
MSTF Priority				
Outcome	Indicator No.	Outcome indicator	Baseline	Five Year Target
		fraudulent activities to prevent exploitation of vulnerable populations.		services, and fraudulent activities within 60 business days.
Minimized harm to consumers caused by unsafe or defective goods and exploitative supplier practices.	7.	Number of high impact investigations initiated.	New Outcome	20 high impact investigations initiated.
Minimized harm to consumers caused by unsafe or defective goods and exploitative supplier practices.	8.	Number of high impact investigations finalized.	New Outcome	20 high impact investigations practices finalized.
Operationalized Opt-Out Register.	9.	Direct marketers registered on the opt-out register.	New Outcome	100% of direct marketers registered on the opt-out register.
Minimized harm to consumers caused by unsafe or defective goods and exploitative supplier practices.	10.	Percentage of complaints in priority areas (excluding CTFL at ports of entry and scams) finalized.	New Outcome	75% of complaints in priority areas (excluding CTFL at ports of entry and scams) finalized.
Reduce consumer risk by minimizing the circulation of	11.	Time taken to administer and issue communication on product recalls.	New Outcome	Administer product recalls and issue communication thereon



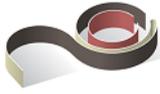
MSTF Priority				
Outcome	Indicator No.	Outcome indicator	Baseline	Five Year Target
defective or unsafe products, ensuring timely and effective product recalls to safeguard public health and safety.				within 40 business days of receipt of recall notice from suppliers.
Minimized harm to consumers caused by unsafe or defective goods and exploitative supplier practices.	12.	Percentage of energy-related and false claims about environmentally friendly (Carbon Neutral) products complaints finalized within a specified period.	New Outcome	Finalize 90% of energy-related and false claims about environmentally friendly (greenwashing on carbon neutrality) products complaints within 6 months.
PROGRAMME 3: Education and Awareness				
Outcome		Outcome indicator	Baseline	Five Year Target
Enhanced public knowledge and understanding of the CPA.	13.	Number of consumer education and awareness programs conducted in rural and township areas.	New Outcome	80 consumer education and awareness programs targeted at consumer conducted in rural and township areas.
Enhanced public knowledge and understanding of the CPA.	14.	Number of business education and awareness initiatives conducted	New Outcome	40 business education and awareness programs targeted at



MSTF Priority				
Outcome	Indicator No.	Outcome indicator	Baseline	Five Year Target
				SMMEs, and informal business conducted.
More efficient, predictable, and sustainable local economic environment through harmonised consumer protection interventions.	15.	Number of advocacy interventions in municipalities for industrial development and SMME support.	New Outcome	52 advocacy interventions in municipalities.
Enhanced collaboration with regulatory bodies (national and provincial authorities) to improve regulatory outcomes for consumers.	16.	Number of joint initiatives conducted in collaboration with regulatory bodies or other stakeholders on consumer education and awareness.	New Outcome	30 joint initiatives conducted in collaboration with regulatory bodies or other stakeholders on consumer education and awareness.
PROGRAMME 4: Efficient delivery of services				
Success before the NCT and Courts.	17.	Percentage of cases in favour of the NCC matters brought before the National Consumer Tribunal and/or Courts.	New Outcome	80% success rate in cases presented before the National Consumer Tribunal and/or Courts.



MSTF Priority				
Outcome	Indicator No.	Outcome indicator	Baseline	Five Year Target
Continuous improvement of business processes to increase productivity and reduce inefficiencies.	18.	Percentage of availability of complaints handling e-Service System and Website	New Outcome	95% availability of complaints handling e-Service System and Website
Improved turnaround times for payment of service providers.	19.	Number of days taken to pay suppliers.	New Outcome	Pay service providers within 20 business days.
Mobile unit to increase brand awareness, enhance visibility, expand reach, and create direct engagement with consumers, particularly in rural communities.	20.	A functional mobile unit to increase brand awareness, enhance visibility, expand reach, and create direct engagement with consumers, particularly in rural communities.	New Outcome	A functional mobile unit



### **5.3. Explanation of planned performance over the five-year planning period**

#### **5.3.1. Programme 1: Contribution to Government's industrialization goals.**

To reduce poverty by ensuring that vulnerable populations are not exploited by deceptive practices, or fraudulent activities. By safeguarding consumers' rights, this outcome aims to promote fair market practices and enhance financial security for low-income households. The goal is to safeguard vulnerable consumers from financial exploitation and contribute to a more equitable economic environment, ultimately improving living standards and reducing the financial burden on low-income households. Data from consumer complaints, market research, and financial reports will be used to identify at-risk groups, geographic regions where financial exploitation is more common. Ongoing monitoring of industries known for exploiting vulnerable consumers will be conducted to detect and prevent deceptive practices. Collaboration with the South African Revenue Service, the Border Management Authority and the South African Police Services will be enhanced.

#### **5.3.2. Programme 2: Curb Prohibited Conduct**

To curb prohibited conduct, the NCC will engage in market monitoring, investigations, and enforcement of the CPA. This includes identifying and acting against businesses involved in deceptive practices, such as misleading advertising, fraud, or harmful business tactics. By strengthening enforcement mechanisms, improving reporting channels, and collaborating with other regulatory bodies, the NCC aims to reduce the frequency of such behaviours in the marketplace.

#### **5.3.3. Programme 3: Education and Awareness**

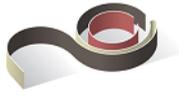
The NCC will educate consumers to demand quality goods and services and enforce their rights and demand quality goods. In addition, consumers are made aware of the negative consequences of harmful practices.

Business is educated on their obligations in terms of the CPA, thus focusing on preventing harm to consumers and changing business practices that are harmful to consumers.

These programmes will be conducted through TV and radio interviews, advertisements on radio and TV, postings on NCC social media pages, and workshops (in person and virtual).

#### 5.3.4. Programme 4: Efficient delivery of services

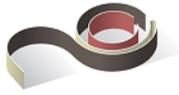
To enhance the overall effectiveness and responsiveness of services to deliver faster, higher-quality services to customers in a timely, reliable, and cost-effective manner. Also to keep its online systems fit for purpose by maintaining a high availability of systems to enable consumers to file complaints or access information quickly. This reduces red tape by simplifying the filling and handling of consumer complaints thus reducing the time it takes to file a complaint and get feedback from the NCC. 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.



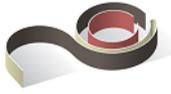
### 5.4. Key Risks and mitigation

Table 3: Risks and mitigation

Risk No	Outcomes	Key Risks	Risk Mitigation
STR 1	To reduce the availability of non-compliant and substandard goods and foodstuffs and to inculcate a culture of compliance with the CPA.	Limited inspection capacity.	<ol style="list-style-type: none"> <li>1. Filling of some vacant positions on the structure.</li> <li>2. Procurement of vehicles through the transversal contract.</li> </ol>
STR 2	To reduce exploitation by ensuring that vulnerable populations are not exploited by deceptive practices, or fraudulent activities.	Lack of skill to investigate fraudulent and deceptive conduct.	<ol style="list-style-type: none"> <li>1. Provide skills to investigate and enforce.</li> <li>2. Conduct awareness campaigns for consumers on scams.</li> </ol>
STR 3	To Educate consumers to demand quality goods and services and enforce their rights and demand quality goods and business is educated their obligations in terms of the CPA.	<p>Lack of consumer awareness on their legal rights and protections under CPA which can lead to underreporting of complaints.</p> <p>Businesses may fail to fully understand or adhere to legislative and regulatory requirements of CPA, either due to negligence, lack of</p>	<ol style="list-style-type: none"> <li>1. Self-initiated workshop</li> <li>2. Use diverse media platforms (social, print, electronic, webinars) to convey messages and extend the NCC national reach</li> <li>3. Collaboration and partnerships with relevant external stakeholders .</li> </ol>



Risk No	Outcomes	Key Risks	Risk Mitigation
		knowledge, or deliberate non-compliance.	
STR 4	To enhance the overall effectiveness and responsiveness of services to deliver faster, higher-quality services to customers in a timely, reliable, and cost-effective manner .	Lack of skill to investigate fraudulent and deceptive conduct.	<ol style="list-style-type: none"> <li>1. Provide skills to investigate.</li> <li>2. In-house training for other investigators.</li> <li>3. Conduct awareness campaigns for consumers.</li> </ol>
STR 5	Accessible and coherent consumer protection system,	Inadequate financial resources (budget) to achieve the mandate of the organisation.	<ol style="list-style-type: none"> <li>1. Engage DTIC and NT for additional funds to increase the baseline.</li> <li>2. Partnerships with other government or/and private institution Quarterly monitor and reprioritize available budget.</li> </ol>
STR 6	Ensure adequate human resource capacity to deliver on the NCC's Strategy.	Inadequate capacity to respond to organisational mandate	<ol style="list-style-type: none"> <li>1. Engage DTIC and NT for additional funds to increase the baseline.</li> <li>2. Develop Organisational redesign Framework.</li> </ol>



## 5.5. 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.

The NCC has an approved Fraud Prevention Policy, Strategy, and Implementation Plan. These documents were developed to prevent, detect, and address acts of corruption. A fraud and corruption risk assessment was conducted, and action plans were identified and monitored on a quarterly basis. Regular communication, including workshops and information-sharing sessions, was undertaken to promote awareness and reporting of fraud and corruption within the NCC.

Additionally, the NCC has an approved Whistleblowing Policy that serves as a mechanism and guide for reporting suspected fraud and corruption. The policy outlines the procedures for reporting such incidents anonymously. This information has been communicated to all employees.

Fraud reporting boxes have been placed within the building, and the hotline number for reporting possible fraud or corruption is displayed on each box and in the Whistleblowing Policy. Internal reports of fraud and corruption can also be submitted via the NCC's designated email: [fraud@thenc.org.za](mailto:fraud@thenc.org.za).

## 6. Public Entities

The NCC is a Schedule 3A entity in terms of the Public Finance Management Act. Tables 4 and 5 provide a profile of the NCC in terms of mandate, key outputs and annual budget.

*Table 4: Public Entities – Profile*

Name of Public Entity	Mandate	Key Outputs	Current Annual Budget (R thousand)
National Consumer Commission	Consumer Protection in the Republic in terms of the CPA.	The NCC is responsible for enforcing the Consumer Protection Act (CPA) by and investigating, prosecuting and resolving consumer complaints.	<b>76 216</b>

The projected revenue in the MTEF is shown in the below table:

*Table 5: Revenue*

Revenue	2024/2025 Annual Budget R'000	2025/2026 Annual Budget R'000	2026/2027 Annual Budget R'000	2027/2028 Annual Budget R'000
<b>Government Grants</b>	71 220	71 360	73 790	77 128
<b>Interest</b>	4 950	4 856	5 080	5 309
<b>Total</b>	<b>76 170</b>	<b>76 216</b>	<b>78 870</b>	<b>82 437</b>

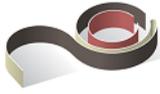
Revenue remains almost the same between 2024/25 and 2025/26. With steady increases each year from 2026/2027 financial year. By 2027/2028, the total revenue rises to R82.437 Million, an increase driven by both grants (R77.128 Million) and interest income (R 5.309 Million). However, the reliance on grants remains a significant and primary part of the budget, emphasizing the need for careful fiscal management as the budget is vulnerable to shocks should the grant be reduced. This trajectory highlights the importance of balancing the present needs with long-term fiscal health.



# PART D

## TECHNICAL INDICATOR DESCRIPTIONS (TIDS)





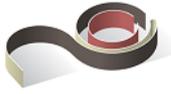
## Part D: Technical Indicator Descriptions

### 7. Technical Indicator Descriptions (TIDs)

#### 7.1. TID1: Enforcement action against suppliers of illicit goods, expired goods and illegal imports

Table 6: TID1: Enforcement action against suppliers of illicit goods, expired goods and illegal imports

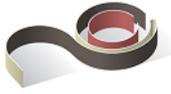
Indicator title	Enforcement action against suppliers of illicit goods, expired goods and illegal imports
<b>Definition</b>	Refers to enforcement action against suppliers of illicit goods, expired goods and illegal imports. Enforcement action begins with the approval of an investigation against the supplier of illicit goods, expired goods and illegal imports. The finalization of a case through a decision to refer for further enforcement, compliance notice, undertaking by supplier or non-referral.
<b>Source of data or information</b>	Copy of approval Memo Register or Spreadsheet Signed Directives Minutes of Steering Committee
<b>Method of calculation/assessment</b>	A simple count
<b>Means of verification</b>	Enforcement action against suppliers of illicit goods, expired goods and illegal imports. Copy of approval Memo Register or Spreadsheet Signed Directives Minutes of Steering Committee
<b>Assumptions</b>	The target will be met.
<b>Disaggregation of beneficiaries</b>	N/A
<b>Spatial transformation (where applicable)</b>	N/A
<b>Calculation type</b>	Cumulative (year-end)
<b>Reporting cycle</b>	Quarterly
<b>Desired performance</b>	Target achieved or exceeded.
<b>Indicator Responsibility</b>	Divisional Head: Complaints and Investigations



7.2. TID2: Finalize CTFL Investigation

Table 7: TID2: Finalize CTFL Investigation

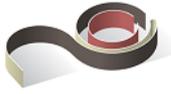
Indicator title	Finalize CTFL Matters
<b>Definition</b>	<ul style="list-style-type: none"> <li>• A CTFL matter starts on the date of signature of the investigation directive/certificate.</li> <li>• The turnaround times are determined by calculating the number of business days following the day of the start of the investigation.</li> <li>• An investigation into CTFL starts when the Commissioner authorises the investigation.</li> <li>• A CTFL investigation is finalised when a release letter or a PAJA letter is issued.</li> </ul> <p>The annual target is calculated as the average of all quarters. The target is met if the outcome is less than or equal to the 40 business days.</p>
<b>Source of data or information</b>	<p>Investigation approval memo investigation report and actual release or PAJA letter.            Copy of approval Memo            Register or Spreadsheet            Signed Directives            Minutes of Steering Committee</p>
<b>Method of calculation/assessment</b>	Average number of days.
<b>Means of verification</b>	<p>Investigation approval memo, Investigation report, Actual release or PAJA letter, and/or register of all finalised CTFL cases.            Copy of approval Memo            Register or Spreadsheet            Signed Directives            Minutes of Steering Committee</p>
<b>Assumptions</b>	The target will be met.
<b>Disaggregation of beneficiaries</b>	N/A
<b>Spatial transformation (where applicable)</b>	N/A
<b>Calculation type</b>	Cumulative (year-end)
<b>Reporting cycle</b>	Quarterly
<b>Desired performance</b>	Target achieved or exceeded.
<b>Indicator Responsibility</b>	<p>Divisional Head: Complaints and Investigations            Divisional Head: Legal Services</p>



7.3. TID3: Preferential Procurement

Table 8: TID 3: Preferential procurement

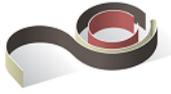
Indicator title	Preferential Procurement
<b>Definition</b>	The indicator refers to the procurement of goods and services by the NCC from SMMEs in designated groups i.e. previously disadvantaged persons, women, youth and persons with disabilities.
<b>Source of data or information</b>	Supply Chain Reports
<b>Method of calculation/ assessment</b>	Proportion of the SMMEs in designated group relative to the total number of SMMEs the NCC procured from.
<b>Means of verification</b>	Supply Chain Reports.
<b>Assumptions</b>	Target will be achieved.
<b>Disaggregation of beneficiaries</b>	N/A
<b>Spatial transformation (where applicable)</b>	N/A
<b>Calculation type</b>	Cumulative (year-end)
<b>Reporting cycle</b>	Quarterly
<b>Desired performance</b>	Target will be achieved or exceeded.
<b>Indicator Responsibility</b>	Divisional Head: Corporate services Chief Financial Officer



7.4. TID4: Business Education at Industrial Parks

Table 9: TID 4: Business Education at Industrial parks

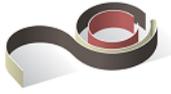
Indicator title	Business Education at Industrial parks
<b>Definition</b>	Interactive sessions conducted to guide companies in industrial parks to ensure compliance with the CPA. These programmes will be conducted through workshops, seminars and webinars.
<b>Source of data or information</b>	Attendance registers, confirmation by the host, meeting screenshots, minutes, notes, and transcripts.
<b>Method of calculation/ assessment</b>	A simple count of business education programs conducted.
<b>Means of verification</b>	Attendance registers, confirmation by the host, meeting screenshots, minutes, notes, and transcripts.
<b>Assumptions</b>	Target will be achieved.
<b>Disaggregation of beneficiaries</b>	N/A
<b>Spatial transformation (where applicable)</b>	N/A
<b>Calculation type</b>	Cumulative (year-end)
<b>Reporting cycle</b>	Quarterly
<b>Desired performance</b>	Target will be achieved or exceeded
<b>Indicator Responsibility</b>	Divisional Head: Education and Advocacy



7.5. TID5: Internship Programmes Provided.

Table 10: TID5: Internship Programmes Provided.

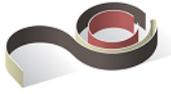
Indicator title	Internship programmes provided
<b>Definition</b>	Internship is a short-term work experience offered by the NCC, MIOSA, CGSO and other partners to recent graduates (directly and/or indirectly), to provide them with practical experience and develop professional skills.
<b>Source of data or information</b>	Internship reports.
<b>Method of calculation/assessment</b>	A simple count.
<b>Means of verification</b>	Head count of interns placed.
<b>Assumptions</b>	The target will be met if at the point of reporting the number of interns placed is at least the required minimum, irrespective of the date of appointment.
<b>Disaggregation of beneficiaries</b>	N/A
<b>Spatial transformation (where applicable)</b>	N/A
<b>Calculation type</b>	Cumulative (year-end)
<b>Reporting cycle</b>	Quarterly.
<b>Desired performance</b>	Target achieved or exceeded.
<b>Indicator Responsibility</b>	Divisional Head: Corporate services



**7.6. TID6: Finalize investigations of Ponzi Scheme, AI and Fake reviews on digital platforms for goods and services**

*Table 11: TID6: Finalize investigations of Ponzi Scheme, AI and Fake reviews on digital platforms for goods and services*

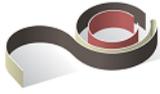
Indicator title	Finalize Ponzi Scheme, AI and Fake reviews and Online Investigations
<b>Definition</b>	<p>The turnaround times are determined by calculating the number of business days following the day of the start of the investigation.</p> <ul style="list-style-type: none"> <li>• A Ponzi Scheme, AI and Fake reviews on digital platforms for goods and services investigation starts upon approval of the investigation.</li> <li>• A Ponzi Scheme, AI and Fake reviews on digital platforms for goods and services investigation is finalised when an investigation report is approved.</li> </ul> <p>The annual target is calculated as the average of all quarters. The target is met if the outcome is less than or equal to the 40 business days.</p>
<b>Source of data or information</b>	The NCC initiates investigation based on its own research and intelligence or based on complaints received. The initiation of a case is evidenced by minutes of the Steering Committee to initiate.
<b>Method of calculation/ assessment</b>	A simple count
<b>Means of verification</b>	Steering Committee minutes or approved memorandum.
<b>Assumptions</b>	The target will be met.
<b>Disaggregation of beneficiaries</b>	N/A
<b>Spatial transformation (where applicable)</b>	N/A
<b>Calculation type</b>	Cumulative (year-end)
<b>Reporting cycle</b>	Quarterly
<b>Desired performance</b>	Target achieved or exceeded
<b>Indicator Responsibility</b>	Divisional Head: Legal Services



7.7. TID7: High Impact Investigation Initiated

Table 12: TID7: High Impact Investigation Initiated

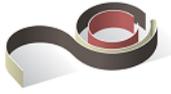
Indicator title	High Impact Investigation Initiated
<b>Definition</b>	<p>High impact investigation refers to an investigation into practises that have significant consequences or potential significant consequences for consumers. Here are some key characteristics:</p> <ul style="list-style-type: none"> <li>• <b>Severity:</b> The practice involves serious harm or significant financial loss to a larger quantity of consumers by a supplier or suppliers.</li> <li>• <b>Public Interest:</b> The case attracts or has the potential to attract public or media attention.</li> <li>• <b>Complexity:</b> The investigation requires extensive resources, specialized skills, or coordination across multiple agencies.</li> <li>• <b>Risk:</b> There is a high risk of recurrence or escalation if not addressed promptly and effectively.</li> </ul>
<b>Source of data or information</b>	<p>The NCC initiates investigation based on its own research and intelligence or based on complaints received. The initiation of a case is evidenced by minutes of the Steering Committee to initiate.</p> <p>Copy of approval Memo Register or Spreadsheet Signed Directives Minutes of Steering Committee</p>
<b>Method of calculation/assessment</b>	A simple count
<b>Means of verification</b>	<p>Steering Committee minutes or approved memorandum. Copy of approval Memo Register or Spreadsheet Signed Directives</p>
<b>Assumptions</b>	The target will be met.
<b>Disaggregation of beneficiaries</b>	N/A
<b>Spatial transformation (where applicable)</b>	N/A
<b>Calculation type</b>	Cumulative (year-end)
<b>Reporting cycle</b>	Quarterly
<b>Desired performance</b>	Target achieved or exceeded
<b>Indicator Responsibility</b>	Divisional Head: Complaints and Investigations



7.8. TID8: High Impact Investigation Finalized

Table 13: TID8: High Impact Investigation Finalized

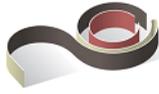
Indicator title	High Impact Investigation Finalized
<b>Definition</b>	<p>High impact investigation refers to an investigation into practises that have significant consequences or potential significant consequences for consumers. Here are some key characteristics:</p> <ul style="list-style-type: none"> <li>• <b>Severity:</b> The practice involves serious harm or significant financial loss to a larger quantity of consumers by a supplier or suppliers.</li> <li>• <b>Public Interest:</b> The case attracts or has the potential to attract public or media attention.</li> <li>• <b>Complexity:</b> The investigation requires extensive resources, specialized skills, or coordination across multiple agencies.</li> <li>• <b>Risk:</b> There is a high risk of recurrence or escalation if not addressed promptly and effectively.</li> </ul>
<b>Source of data or information</b>	<p>The finalization of a case through a decision to refer for further enforcement, compliance notice, undertaking by supplier or non-referral.</p> <p>Copy of approval Memo Register or Spreadsheet Signed Directives Minutes of Steering Committee</p>
<b>Method of calculation/assessment</b>	A simple count
<b>Means of verification</b>	<p>Steering Committee minutes or approved memorandum. Register or Spreadsheet Signed Directives</p>
<b>Assumptions</b>	The target will be met.
<b>Disaggregation of beneficiaries</b>	N/A
<b>Spatial transformation (where applicable)</b>	N/A
<b>Calculation type</b>	Cumulative (year-end)
<b>Reporting cycle</b>	Quarterly
<b>Desired performance</b>	Target achieved or exceeded.
<b>Indicator Responsibility</b>	Divisional Head: Complaints and Investigations



**7.9. TID9: Register Direct Marketers on the Opt-Out Register**

*Table 14: TID9: Register Direct Marketers on the Opt-Out Register.*

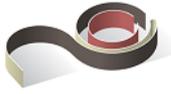
Indicator title	Register Direct Marketers on the Opt-Out Register
<b>Definition</b>	The registration of direct marketers will be triggered after the opt-out register regulations have been promulgated by the Minister of Trade, Industry and Competition.
<b>Source of data or information</b>	Opt-out Register reports and the feasibility study that shows the projected number of direct marketers. That number is the baseline.
<b>Method of calculation/ assessment</b>	<ul style="list-style-type: none"> <li>• Simple count.</li> </ul>
<b>Means of verification</b>	Opt-out Register reports and the feasibility study that shows the projected number of direct marketers. That number is the baseline.
<b>Assumptions</b>	The target will be met.
<b>Disaggregation of beneficiaries</b>	N/A
<b>Spatial transformation (where applicable)</b>	N/A
<b>Calculation type</b>	Cumulative (year-end)
<b>Reporting cycle</b>	Quarterly
<b>Desired performance</b>	Target achieved or exceeded
<b>Indicator Responsibility</b>	Chief Information Officer



**7.10. TID10: Finalize Complaints in Priority Areas**

*Table 15: TID10: Finalize Complaints in Priority Areas*

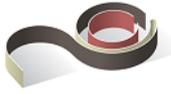
Indicator title	Finalize Complaints in Priority Areas
<b>Definition</b>	<p>Priority areas, Second-hand automotive industry, Unfair and unreasonable pricing of goods and services, Unfair and unreasonable terms and conditions, low-quality and substandard locally produced or imported goods, and E-commerce.</p> <p>To avoid double counting, priority areas on Non-compliant Clothing, Textile, Footwear and Leather goods (CTFL), Unsafe and Expired Goods, False Claims on Carbon Friendly goods (green washing) and Scams and Ponzi schemes are accounted for separately and are not included in this target.</p>
<b>Source of data or information</b>	<p>The finalization of a case through a decision to refer for further enforcement, compliance notice, undertaking by supplier or non-referral and a decision to refer to appropriate bodies for further handling (Consumer Court, Human Rights Commission etc)</p> <p>Copy of approval Memo Register or Spreadsheet Signed Directives Minutes of Steering Committee.</p>
<b>Method of calculation/assessment</b>	<p>A percentage calculation based on complaints resolved over complaints received.</p>
<b>Means of verification</b>	<p>Minutes of the Steering Committee or approved memorandum. Copy of approval Memo Register or Spreadsheet Signed Directives</p>
<b>Assumptions</b>	<p>The target will be met.</p>
<b>Disaggregation of beneficiaries</b>	<p>N/A</p>
<b>Spatial transformation (where applicable)</b>	<p>N/A</p>
<b>Calculation type</b>	<p>Cumulative (year-end)</p>
<b>Reporting cycle</b>	<p>Quarterly</p>
<b>Desired performance</b>	<p>Target achieved or exceeded.</p>
<b>Indicator Responsibility</b>	<p>Divisional Head: Complaints and Investigations</p>



7.11. TID11: Administer Product recalls

Table 16 TID11: Administer Product recalls

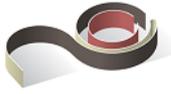
Indicator title	Administer Product recalls
<b>Definition</b>	Product recall means a recall of unsafe, hazardous, defective, or failed product.
<b>Source of data or information</b>	Product recall register and Quarterly report tabled in the steering committee. Steering Committee Minutes Publication on the website or through media Correspondence with supplier (acknowledgement)
<b>Method of calculation/ assessment</b>	Count of product recalls administered.
<b>Means of verification</b>	Product recall register and the quarterly report tabled at the steering committee. Steering Committee Minutes Publication on the website or through media Correspondence with supplier (acknowledgement)
<b>Assumptions</b>	None
<b>Disaggregation of beneficiaries</b>	N/A
<b>Spatial transformation (where applicable)</b>	N/A
<b>Calculation type</b>	Cumulative (year-end)
<b>Reporting cycle</b>	Quarterly
<b>Desired performance</b>	Achieve or exceed the target.
<b>Indicator Responsibility</b>	Divisional Head: Complaints and Investigations



**7.12. TID12: Finalize Energy-Related Complaints.**

*Table 17: TID12: Finalize energy-related complaints.*

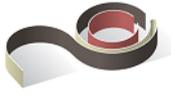
<b>Indicator title</b>	<b>Finalize Energy-Related Complaints</b>
<b>Definition</b>	Energy-related complaints mean complaints about solar panels, batteries, inverters and related products; and false claims about environmentally friendly (Carbon Neutral) products.
<b>Source of data or information</b>	The finalization of a case through a decision to refer for further enforcement, compliance notice, undertaking by supplier or non-referral. Copy of approval Memo Register or Spreadsheet Signed Directives Steering Committee Minutes
<b>Method of calculation/ assessment</b>	A simple percentage count and register of finalised cases. Register or Spreadsheet Signed Directives
<b>Means of verification</b>	Steering Committee minutes or approved memorandum.
<b>Assumptions</b>	The target will be met.
<b>Disaggregation of beneficiaries</b>	N/A
<b>Spatial transformation (where applicable)</b>	N/A
<b>Calculation type</b>	Cumulative (year-end)
<b>Reporting cycle</b>	Quarterly
<b>Desired performance</b>	Target achieved or exceeded.
<b>Indicator Responsibility</b>	Divisional Head: Complaints and Investigations



**7.13. TID 13: Consumer Education and Awareness Programs**

*Table 18: TID13: Consumer Education and Awareness Programs*

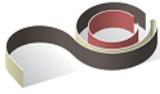
<b>Indicator title</b>	<b>Consumer Education programs conducted to consumers</b>
<b>Definition</b>	Interactive sessions conducted to guide consumers to demand quality goods and services and enforce their rights and demand quality goods. These programmes will be conducted through workshops, seminars and webinars.
<b>Source of data or information</b>	Attendance registers, invitations by the host, meeting screenshots, minutes, notes, or transcripts.
<b>Method of calculation/ assessment</b>	A simple count of business awareness programmes conducted
<b>Means of verification</b>	Attendance registers, invitations by the host, meeting screenshots, minutes, notes, or transcripts.
<b>Assumptions</b>	Target will be achieved
<b>Disaggregation of beneficiaries</b>	N/A
<b>Spatial transformation (where applicable)</b>	N/A
<b>Calculation type</b>	Cumulative (year-end)
<b>Reporting cycle</b>	Annually
<b>Desired performance</b>	Target will be achieved or exceeded.
<b>Indicator Responsibility</b>	Divisional Head: Education and Advocacy



**7.14. TID14 Business Education and Awareness Programs**

*Table 19: TID14: Business Education and Awareness Programs*

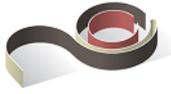
<b>Indicator title</b>	<b>Business Education programs conducted to consumers</b>
<b>Definition</b>	Interactive sessions conducted to guide SMMEs, and informal business of the obligation imposed by the Consumer Protection Act. These programmes will be conducted through workshops, seminars and webinars.
<b>Source of data or information</b>	Attendance registers, invitations by the host, meeting screenshots, minutes, notes, and transcripts.
<b>Method of calculation/ assessment</b>	A simple count of business awareness programmes conducted
<b>Means of verification</b>	Attendance registers, invitations by the host, meeting screenshots, minutes, notes, and transcripts.
<b>Assumptions</b>	Target will be achieved.
<b>Disaggregation of beneficiaries</b>	N/A
<b>Spatial transformation (where applicable)</b>	N/A
<b>Calculation type</b>	Cumulative (year-end)
<b>Reporting cycle</b>	Annually
<b>Desired performance</b>	Target will be achieved or exceeded.
<b>Indicator Responsibility</b>	Divisional Head: Education and Advocacy



**7.15. TID15: Advocacy interventions municipalities for industrial development and SMME support**

*Table 20: TID15: Advocacy interventions in municipalities for industrial development and SMME support*

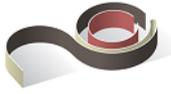
<b>Indicator title</b>	<b>Advocacy interventions in municipalities for industrial development and SMME support</b>
<b>Definition</b>	The indicator refers to the NCC undertaking more efficient, predictable, and sustainable local economic environment through harmonised consumer protection interventions on business education and awareness in all the 8 metros and 44 district municipalities.
<b>Source of data or information</b>	The indicator will be reported to EXCO on a quarterly basis. Achievement of this target is demonstrated by the report submitted to EXCO.
<b>Method of calculation/ assessment</b>	A simple count.
<b>Means of verification</b>	A completed report, which includes the date, time, location, and results.
<b>Assumptions</b>	Target will be achieved
<b>Disaggregation of beneficiaries</b>	N/A
<b>Spatial transformation (where applicable)</b>	N/A
<b>Calculation type</b>	Cumulative (year-end)
<b>Reporting cycle</b>	Annually
<b>Desired performance</b>	Target will be achieved or exceeded.
<b>Indicator Responsibility</b>	Divisional Head: Education and Advocacy



**7.16. TID16: Joint Initiatives Conducted**

*Table 21: TID16: Joint Initiatives Conducted*

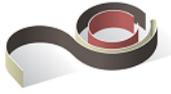
<b>Indicator title</b>	<b>Joint Initiatives Conducted</b>
<b>Definition</b>	The indicator refers to the NCC undertaking collaborative work with regulatory bodies or other stakeholders.
<b>Source of data or information</b>	The indicator will be reported to EXCO on a quarterly basis. Achievement of this target is demonstrated by the report submitted to EXCO.
<b>Method of calculation/ assessment</b>	A simple count.
<b>Means of verification</b>	A completed collaboration report, which includes the date, time, location, and results.
<b>Assumptions</b>	Target will be achieved
<b>Disaggregation of beneficiaries</b>	N/A
<b>Spatial transformation (where applicable)</b>	N/A
<b>Calculation type</b>	Cumulative (year-end)
<b>Reporting cycle</b>	Annually
<b>Desired performance</b>	Target will be achieved or exceeded.
<b>Indicator Responsibility</b>	Divisional Head: Education and Advocacy Divisional Head: Complaints and Investigations



**7.17. TID 17 Percentage of Success at the NCT and Courts**

*Table 22: TID 17: Success rate at the NCT and Courts*

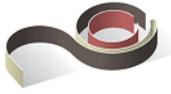
<b>Indicator title</b>	<b>Success Rate at the NCT and/or Courts</b>
<b>Definition</b>	<ul style="list-style-type: none"> <li>• Success means: the relief sought by the NCC is upheld in full or partially or a variation thereof by the NCT and/or Courts.</li> <li>• The indicator is not met where the NCC’s case is dismissed in its entirety by the NCT and/or Courts.</li> <li>• The indicator excludes cases which are under appeal or review at the courts at the time of reporting but includes cases completed through consent orders before and after or referral.</li> </ul>
<b>Source of data or information</b>	The indicator is determined from the orders of the NCT and/or courts.
<b>Method of calculation/ assessment</b>	A simple count
<b>Means of verification</b>	Orders of the NCT and/or courts.
<b>Assumptions</b>	Target will be achieved.
<b>Disaggregation of beneficiaries</b>	N/A
<b>Spatial transformation (where applicable)</b>	N/A
<b>Calculation type</b>	Cumulative (year-end)
<b>Reporting cycle</b>	Annually
<b>Desired performance</b>	Target will be achieved or exceeded.
<b>Indicator Responsibility</b>	Divisional Head: Legal Services



**7.18. TID18: Available Complaints handling e-Service System and Website**

*Table 23: TID18: Available Complaints handling e-Service System and Website*

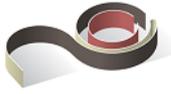
Indicator title	Available complaints handling e-Service System and Website
<b>Definition</b>	The indicator measures the uptime of the systems being: <ul style="list-style-type: none"> <li>• e-Service System for filing of consumer complaints; and</li> <li>• The NCC website.</li> </ul>
<b>Source of data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



**7.19. TID19: Pay Service Providers**

*Table 24: TID19: Pay service providers*

<b>Indicator title</b>	<b>Pay Service Providers</b>
<b>Definition</b>	Payment of service providers rendering services to the NCC within the specified time.
<b>Source of data or information</b>	Approved Invoices.
<b>Method of calculation/assessment</b>	Average number of days calculated from the date on which the invoice is approved by user until payment is made.
<b>Means of verification</b>	Report submitted to Exco.
<b>Assumptions</b>	The target will be met.
<b>Disaggregation of beneficiaries</b>	N/A
<b>Spatial transformation (where applicable)</b>	N/A
<b>Calculation type</b>	Cumulative (year-end)
<b>Reporting cycle</b>	Quarterly
<b>Desired performance</b>	Target achieved or exceeded.
<b>Indicator Responsibility</b>	Chief Financial Officer



**7.20. TID20: Procure Mobile Unit.**

*Table 25: TID20: Procure Mobile Unit*

<b>Indicator title</b>	<b>Procure Mobile Unit</b>
<b>Definition</b>	A mobile unit is a fully equipped mobile service centre bus designed to educate and assist consumers. It features digital presentation equipment, computers, Wi-Fi, and interactive kiosks for accessing consumer rights information. The bus includes printing and scanning facilities for documentation support, a public address system for workshops.
<b>Source of data or information</b>	Business Case
<b>Method of calculation/assessment</b>	Business Case.
<b>Means of verification</b>	Business Case
<b>Assumptions</b>	The target will be met.
<b>Disaggregation of beneficiaries</b>	N/A
<b>Spatial transformation (where applicable)</b>	N/A
<b>Calculation type</b>	Cumulative (year-end)
<b>Reporting cycle</b>	Quarterly
<b>Desired performance</b>	Target achieved
<b>Indicator Responsibility</b>	Divisional Head: Education and Awareness Chief Financial Officer



012 065 1940



Enquiries@thenncc.org.za



@TheNCC\_RSA



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[www.thenncc.org.za](http://www.thenncc.org.za)