



**NORTH WEST  
NOORDWES**

**EXTRAORDINARY • BUITENGEWOON**

**PROVINCIAL GAZETTE  
PROVINSIALE KOERANT**

Vol. 259

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**PROVINCIAL NOTICES • PROVINSIALE KENNISGEWINGS**

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**PROVINCIAL NOTICE 208 OF 2016****NORTH WEST PROVINCE CONSUMER AFFAIRS (UNFAIR BUSINESS PRACTICES)  
REGULATIONS IN TERMS OF SECTION 23 ACT 4 OF 1996, AS AMENDED**

I, **Wendy Joy Nelson**, Member of the Executive Council responsible for Finance Economy and Enterprise Development, have under section 23 of the Consumer Affairs (Unfair Business Practices) Act, 1996 (Act 23 of 1996), made the regulations in the Schedule.

  
**WENDY JOY NELSON**  
**MEMBER OF THE EXECUTIVE COUNCIL**  
**FINANCE ECONOMY AND ENTERPRISE DEVELOPMENT**

**NORTH WEST PROVINCE CONSUMER AFFAIRS (UNFAIR BUSINESS PRACTICES)  
REGULATIONS IN TERMS OF SECTION 23 ACT 4 OF 1996, AS AMENDED**

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**SCHEDULE****CHAPTER 1****1. INTERPRETATION AND DEFINITIONS**

- (1) In these Regulations, unless the context indicates otherwise, a word or expression to which a meaning has been assigned in the Consumer Affairs (Unfair Business Practices) Act, 1996 (Act No. 4 of 1996) retains that meaning, unless the context requires otherwise-
- "chairperson"** means a chairperson appointed in terms of Section 11 (a) of the Act.
- "clerk of the court"** means a clerk of the court appointed in terms of section 13(2) (a) of the Act.
- "complainant"** means a consumer who lodged a complaint with the Office.
- "court"** means the Consumer Affairs Court established in terms of Section 10 of the Act.
- "days"** means working days;
- "deliver"** depending on the context means to serve or file a document;
- "investigating officer"** means a person appointed as such in terms of section 2B the Act
- "public holiday"** means a public holiday referred to in section 1 of the Public Holidays Act, 1994 (Act 36 of 1994);
- "respondent"** means a person against whom a complaint or application has been initiated.
- "sheriff"** means a person appointed as a Sheriff or Deputy Sheriff in terms of the Sheriff's Act 90 of 1986.
- (2) When a period of days must in terms of these Regulations be reckoned from or after a particular day, that period must be reckoned as from the start of the day following that particular day to the end of the last day of the last day of the period, but if the last day falls on a Saturday, Sunday or public holiday, that period must be extended to the end of the next day which is not a Saturday, Sunday or public holiday.

- (3) For any action contemplated in terms of these regulations for which a timeframe is prescribed, the period of 15<sup>th</sup> December to 2<sup>nd</sup> January must be excluded in.
- (4) Where a prescribed period is affected by one or more public holidays, the timeframe must be extended by the number of public holiday days falling within that timeframe.

## CHAPTER 2

### 2. INVESTIGATION OF UNFAIR BUSINESS PRACTICE BY OFFICE

- (1) The Consumer Protector may upon receipt of the alleged unfair business practice complaint-
  - (a) reduce information in writing;
  - (b) request the consumer to provide information in a form of an affidavit or otherwise;
  - (c) institute investigation of the complaint ; and
  - (d) give notice of investigation of the complaint to the person alleged or suspected to have committed unfair business practice.
- (2) A warning to the person allegedly implicated that a statement or explanation, which he/she may give, may be used against him/her in proceedings before the court must accompany a notice referred to in sub-regulation (1)(d).
- (3) A notice referred to in sub-regulation (1)(d) must be sent regardless of whether the lodging of complaint with office makes the investigation known in the Provincial Gazette as contemplated in section (5)(3) of the Act.

### 3. SUMMONS/ SUBPOENA TO APPEAR BEFORE THE CONSUMER PROTECTOR

- (1) The Consumer Protector, may summon a person to appear before the Office at the time and place specified in the summon for the purpose of investigation;
- (2) a person summoned may be requested to produce any book, document ,or object relating to the investigation in question;
- (3) the Consumer Protector may question that person under oath/affirmation;
- (4) the summon shall substantially comply with a form as prescribed in Form 1 of these Regulations; and
- (5) the summons must be served by the delivery of the copy to the person named therein at his place of business or residence.

### CHAPTER 3

#### 4. SUMMONS/ SUBPOENA TO APPEAR BEFORE THE CONSUMER COURT

- (1) The Consumer Protector may on completion of investigation institute proceedings in the court;
- (2) The respondent shall be informed of the intention to initiate proceedings in the Court.
- (3) Proceedings before the court shall be commenced by summons calling upon the respondent to answer the applicant's claim and warning the respondent of the consequences of failure to do so;
- (4) The summons shall comply substantially with a form as prescribed in Form 2 of these Regulations and shall specify time, date and place where a person so summoned is required to appear before the court.
- (5) The summons shall contain particulars of the parties and should disclose the subject matter of the complaint or reasons for the summons;
- (6) The summons shall be served by the Sheriff or the Office;
- (7) Summons shall be issued and signed by the clerk of the court;
- (8) The court may postpone a matter to a future unspecified date or strike the matter off the roll, where it is satisfied that the service of summons has not been properly effected
- (9) All processes thereafter shall be served with the clerk of the court the Court.
- (10) A person summoned must before being questioned be required take a solemn affirmation or an oath as prescribed in Annexure B;

#### 5. SUBPOENA OF WITNESSES

- (1) The court may subpoena any witness to appear before it and give evidence, produce a book or object with a form as prescribed in Form 2

#### 6. MANNER OF SERVICE

- 1) A Summons or subpoena shall be served by the Sheriff or Office in the following manner:-
  - (a) by delivery of copy of the summons to the person named therein;
  - (b) by leaving a copy thereof at a place of business or residence of the person named therein, with a person who appears to be in charge of the said premises at the time of delivery and who seems to be older than 16 years;
  - (c) by delivering a copy thereof at the place of employment of the person concerned to a person who appears to be having authority over the said person and who seems to be older than 16 years;

- (d) by delivering the summons to a chosen address at which the summons must be served.
  - (e) In case of a company, partnership or a close corporation, by delivering a copy to a responsible employee thereof at its registered office or its principal place of business within the jurisdiction of the court, or if none of the employees are willing to accept service, by affixing a copy to the main door of such office or place of business;
  - (f) By delivering a copy thereof to an agent who is duly authorized in writing to accept service on behalf of the person to be served;
  - (g) Where a partnership, firm or voluntary association is to be served -:
    - (i) by leaving a copy thereof at the place of business of the partnership, firm or voluntary association with a person who appears to be in charge of charge premises at the time of delivery and who seems to be older than 16 years old; or
    - (ii) if such partnership, firm or voluntary association has no place of business at the time of service, by effecting on a partner, the proprietor or a chairperson or secretary of the committee; or other managing body of the association as the case may be.
  - (h) In a manner determined by the court in a particular case.
- (2) Where the person to be served is a minor or a person without legal capacity, the summons must be served in a manner mentioned in sub-regulation (1) on the minor's guardian.
  - (3) For the purposes of sub-regulation (1)(b), when a block of flats or other building (other than a hotel, boarding-house, hostel or similar residential building) is occupied by more than one person or family, the summons must be served as provided in the said sub-regulation at that part of the building which the person to be served occupies as his or her residence or place of business.
  - (4) The office must cause summons to be served, unless the court orders otherwise in a particular case.

**7. OFFICE HOURS AND ADDRESS OF OFFICE OF THE CONSUMER PROTECTOR**

- (1) The offices of the Consumer Protector are open to the public every Monday to Friday, excluding public holidays, from 08h00 to 16h30.
- (2) Notwithstanding sub-paragraph (1) –
  - (a) in exceptional circumstances the Consumer Protector Office may accept documents served on any day and at any time.
- (3) any communication to the Consumer Protection Office , may be delivered by hand at:
  - (a) The Consumer Protection  
NWDC Building  
Corner University Drive and Provident Streets  
**MMABATHO**  
2735
  - (b) Postal addressed to:  
The Consumer Protector  
Private Bag X15  
**MMABATHO**  
2745

**8. NOTICE OF INTENTION TO DEFEND**

- 1) The respondent may within (10) ten days after service of summons enter an appearance to defend or make arrangement with the office to satisfy the applicants' claim.
- 2) The respondent may within (10) days of service of the summons apply to the clerk of the court to request further particulars as may be required to answer the applicant's claim.
- 3) The clerk of the court shall provide the requested particulars within (10) days after receipt of the request.
- 4) The respondent may within (10) days after service of summons or within (10) days after receipt of the particulars, plead to the applicant's claim.
- 5) The plea must be set out in numbered paragraphs:
- 6) Service of all documents, save for summons may be hand delivered, faxed or e-mailed.

- 7) Service of documents to the last known address or place of employment of the respondent shall be construed as proper service.

#### **9. JOINDER OF PARTIES**

- (1) Any person may be joined as party either jointly, jointly and severally, separately, or in the alternative as parties to the same proceedings if their rights of relief depend on the determination of substantially the questions of law or fact.
- (2) The joinder will not affect the validity of any prior processes in the matter.

#### **10. EXAMINATION OF WITNESSES**

- (1) A witness called by the office may be cross-examined by the person against whom the proceedings were instituted and the other way around, and a witness called by the court may be cross-examined by the office and that person.
- (2) Without prejudice to the right of the office or a person allegedly implicated, a person allegedly implicated may be represented or assisted as contemplated in sections 14(5) of the Act and a witness appearing before the court may, in the discretion of the chairperson and in the manner as the chairperson may determine, be assisted by an advocate, attorney or another person approved by the chairperson.
- (3) The court may direct that no person will be allowed to disclose in any manner whatsoever the name or address of a person who testified or testifies or who has been summoned and so requests the court not to reveal his or her identity.
- (4) Where evidence is given in a language with which the court or the office or the person alleged to be responsible for the unfair business practice in question or their representatives are not sufficiently conversant, a competent interpreter must interpret the evidence.
- (5) If, in the opinion of the court, it is expedient to appoint a competent interpreter or if the office or the person allegedly implicated so desires, the court may satisfy itself as to the competence and integrity of a proposed interpreter before he/she is employed as such.

#### **11. ORDERS OR AWARDS OF THE COURT**

- 1) The Consumer Protector may after an expiry of (15) fifteen days of service of summons or submission of further particulars, apply for a default judgment where the respondent has failed to enter a plea to the applicant's claim.
- 2) Default judgment shall be in a form complying substantially with Form 8 of these regulations.

- 3) The chairperson shall, where it has been proved that summons was duly served or requested particulars duly provided and in the absence of any proof of receipt of the plea, may without hearing evidence enter judgment in favour of the complainant.
- 4) The court is not precluded from verifying whether the applicant has a just complaint on the basis of evidence at its disposal.

## 12. PRE-HEARING CONFERENCE

- 1) The clerk of the court may arrange a pre-hearing conference within 20 days after receipt of a plea to the applicant's claim in accordance with a form complying substantially with Form 3 of the regulations.
  - 2) The Chairperson shall chair proceedings at the pre-hearing conference.
  - 3) The hearing may be conducted as informally.
  - 4) Parties will be required to exchange documents, books or any records that are material for the hearing.
  - 5) Each party may request the other party to discover documents in their possession that might assist in the resolution of the dispute.
  - 6) Facts not in dispute will be eliminated at the pre-hearing conference and shall be admitted and recorded as such.
  - 7) Any arrangement or agreement reached at the pre-hearing conference may be made an order of court.
  - 8) Chairperson may attend to or deal with any matter that might assist with the proceedings or that may lead to speedy resolution of dispute.
  - 9) At the conclusion of the pre-hearing conference, the Chairperson must:-
    - a) indicate agreement reached or ruling made during the pre-hearing conference;
    - b) direct clerk of the court to set down the matter for hearing;
- c) parties may agree that an agreement reached during pre-hearing conference be made an order of court.

**13. HEARING**

- 1) The hearing of an action shall be subject to the delivery by the clerk of the court, after the pleadings have been closed, of a notice of a hearing for a day or days approved by the clerk of the court.
- 2) A notice of a hearing shall be in accordance with a form complying substantially with Form 4 of the regulations.
- 3) The clerk of the court may subpoena any witness by delivering a copy of a subpoena in a manner prescribed under Form 1 of the regulations.
- 4) Witnesses shall be entitled to a witness fee prescribed under Regulations 15.
- 5) Any party may apply for an extension of time during these proceedings.
- 6) Any party to the dispute may apply for a postponement of the matter before or during hearing subject to the ruling of the chairperson.

**CHAPTER 4****14. PROCEEDINGS BEFORE THE COURT**

- 1) Proceedings before the court shall be conducted in an informal manner.
- 2) A party requiring an interpreter shall inform the clerk of the court twenty (20) days before the hearing;
- 3) The office shall ensure that an interpreter is available at the hearing;
- 4) The hearing of an action, an application or any matter may be adjourned or postponed by the court either on application or request of any party to the proceedings or of its own motion.
- 5) Application for postponement can be made during the hearing by either party and the court shall make a ruling on such application.
- 6) Request for postponement may be made before the hearing by serving the clerk of the court with such a request ten (10) days before the hearing.
- 7) If the applicant does not appear at the time indicated for the hearing, the hearing may be proceeded with or postponed in his/her absence.
- 8) If the respondent does not so appear, a judgment may be granted against him/her.
- 9) The court shall before making judgment, verify whether the respondent was duly subpoenaed.
- 10) The court may verify whether the applicant has a just claim or case.

- 11) Proceedings shall be recorded and the record thereof shall be kept by the clerk of the court.
- 12) Any person requiring the transcription of the record of proceedings of the court may in writing apply for such transcription and records and shall be liable for the costs of the transcription and copying of such records.
- 13) Where the court awards costs against a person found to have conducted the unfair business practice or prohibited conduct, as contemplated in section 13A of the Act, such costs must:
  - (a) be paid to the office by the person against whom they are awarded;
- 14) The office must cause the amount of costs paid to the office as contemplated in subregulation (1) to be paid into the Provincial Revenue Fund.

#### CHAPTER 5

#### 15. PROCESS IN EXECUTION

- 1) Judgment granted by the court may be referred to the competent court to be made an order of that court in accordance with its rules.

#### CHAPTER 6

#### 16. SEARCH WARRANT

A search warrant contemplated in section 7(2) of the Act must comply substantially with Form 7 and signed by the chairperson or a member of the court designated by the chairperson.

#### CHAPTER 7

#### 17. WITNESS FEE

- 1) A person who attended the court proceedings as a witness shall be entitled to the applicable fees in accordance with the tariffs as set out in terms of the Magistrate Court Rules and Regulations as may be amended from time to time.
- 2) A witness who has incurred accommodation expenses may be paid such reasonable expenses on submission of documentary proof.

**CHAPTER 8****18. OATH AND SOLEMN AFFIRMATION**

- 1) A person appointed or designated to take down or record the proceedings, which have been so take down or recorded, must before commencing with his/her duties make and sign an oath or solemn affirmation before a commissioner of oaths in the form of Annexure B.
- 2) A person appointed or designated to perform the functions of an interpreter before the court must before commencing with his/her duties make and sign an oath or solemn affirmation before a commissioner of oaths in the form of Annexure D.

**CHAPTER 9****INDEX TO FORMS AND ANNEXURES****FORM 1****SUMMONS TO APPEAR BEFORE THE CONSUMER PROTECTOR FOR QUESTIONING AND/OR PRODUCTION OF BOOKS, DOCUMENTS AND OR OBJECTS [Section 6 (1) and Reg 3]**

Our Ref: \_\_\_\_\_

TO : \_\_\_\_\_

\_\_\_\_\_

SUBJECT : \_\_\_\_\_

You are hereby summoned in terms of Section 6 (1) of the Consumer Affairs ( Unfair Business Practice) Act, no. 4 of 1996 (as amended) to appear before the Consumer Protector at:

Place: \_\_\_\_\_

Date : \_\_\_\_\_

Time : \_\_\_\_\_

to be questioned in connection with the matter above particularize, and to produce the following documents/ objects:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

and be questioned in connection therewith.

**NB:** You shall be guilty of an offence if you fail to attend as specified in the summons, refuse to take oath or affirmation, or fail to produce any book, document or object as required, or make a false statement to the Consumer Protector.

\_\_\_\_\_  
**CONSUMER PROTECTOR**\_\_\_\_\_  
**DATE:**

**FORM 2****SUMMONS INITIATING PROCEEDINGS BEFORE THE CONSUMER AFFAIRS COURT  
[Reg 5]**

To: \_\_\_\_\_ Court ref: \_\_\_\_\_

TAKE NOTICE THAT you are alleged to be responsible for the unfair business practice  
of:\_\_\_\_\_  
\_\_\_\_\_

(particulars of unfair business practice).

THAT proceedings are hereby instituted in the Consumer Affairs Court for the province  
of Gauteng/the area of ..... (insert area) iv\* against you as the person  
allegedly responsible for the above-mentioned business practice;

THAT proceedings before the Consumer Affairs Court will be prosecuted by the Office  
for the Investigation of Unfair Business Practices, who may be represented or assisted  
by an advocate, attorney, or another person approved by the Member of the Executive  
Council of the Province responsible for economic affairs and finance.

AND THAT you are entitled to participate in the proceedings and may appear in person  
or be represented or assisted by an advocate, attorney or another person.

\_\_\_\_\_  
**CONSUMER PROTECTOR**\_\_\_\_\_  
**DATE**

**FORM 3****REQUEST TO ATTEND A PRE – TRIAL CONFERENCE [Reg 11]**

**IN THE CONSUMER AFFAIRS COURT FOR THE NORTH WEST PROVINCE HELD  
AT \_\_\_\_\_**

**CASE NO: \_\_\_\_\_**

In the matter between

\_\_\_\_\_

**AND**

\_\_\_\_\_

**PLAINTIFF**

**DEFENDANT**

You are hereby requested to attend a conference to be held before the Prosecutor of the Consumer Affairs Court on the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_  
at \_\_\_\_\_ am/pm  
at \_\_\_\_\_ (Place)

To consider –

Simplification of issues,

Possibility of obtaining admissions of facts and of documents with a view of avoiding unnecessary proof,

Such other matters as may aid in the disposal of an action in the most expeditious and least costly manner.

Dated at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

\_\_\_\_\_  
**CLERK OF THE COURT**

\_\_\_\_\_  
**DATE**

**FORM 4**

**NOTICE OF SET DOWN [Reg 12(2)]**

**IN THE CONSUMER AFFAIRS COURT FOR THE NORTH WEST PROVINCE HELD AT MMABATHO**

CASE No: \_\_\_\_\_

In the matter between

\_\_\_\_\_  
**AND**  
\_\_\_\_\_

**PLAINTIFF**

**DEFENDANT**

\_\_\_\_\_  
**NOTICE OF SET DOWN**  
\_\_\_\_\_

Take notice that the aforesaid matter has been set down for trial on the \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ am/pm or soon thereafter as the matter be heard.

Signed at \_\_\_\_\_ on \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_

\_\_\_\_\_  
**CLERK OF THE COURT**

\_\_\_\_\_  
**DATE**

**TO :**

Plaintiff

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Defendant

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**FORM 5**

**NOTICE OF MOTION TO CONFIRM AN ARRANGEMENT (Section 17)**

**CASE NO** \_\_\_\_\_

In the matter between

\_\_\_\_\_

**APPLICANT**

**AND**

\_\_\_\_\_

**DEFENDANT**

**KINDLY TAKE NOTICE THAT** the office intends to apply to court to confirm an arrangement between the parties in terms of section 17 of the Consumer Affairs (Unfair Business Practices) Act, 1996.

**TAKE FURTHER NOTICE THAT** the above matter has been placed on the Roll for hearing on \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_ at \_\_\_\_\_ (time) or soon thereafter at the court as the matter may be heard and at the Consumer Court, \_\_\_\_\_(address)

**Dated at** \_\_\_\_\_ **on the** \_\_\_\_\_ **day of** \_\_\_\_\_ **20** \_\_\_\_\_

\_\_\_\_\_  
**CONSUMER PROTECTOR**

**DATE:** \_\_\_\_\_

**TO : THE CLERK OF THE CONSUMER COURT:NWP**

Acknowledge received copy hereof on the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_

Time \_\_\_\_\_

\_\_\_\_\_  
**RESPONDENT**

**DATE:** \_\_\_\_\_

**FORM 6****RECEIPT OF ARTICLES SEIZED [Section 7(1)(d)]****TO:**

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I, \_\_\_\_\_ (full names), investigating officer, have seized on or in the premises situated at \_\_\_\_\_ (Address) and retained for further examination or safe custody, the following articles:

1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

4. \_\_\_\_\_

---

**INVESTIGATING OFFICER****DATE:** \_\_\_\_\_

**FORM 7****SEARCH WARRANT (Consumer Affairs Act 4 of 1996 as amended) [Section 7(2) and Reg 16)**

To \_\_\_\_\_ (full names), an investigating officer appointed in terms of the above-mentioned Act.

Whereas it appears to the Consume Affairs Court from information given to it on oath or solemn affirmation that there are reasonable grounds to suspect that an unfair business practice as contemplated in the said Act exists or may come into existence, namely:

\_\_\_\_\_

\_\_\_\_\_ (describe practice) and that the following books, documents or other objects which may afford evidence of unfair business practice, being

\_\_\_\_\_

\_\_\_\_\_ (describe books, documents or objects) are in or on the premises situated at \_\_\_\_\_ (address).

This warrant is therefore to authorise you to enter the said premises in the day time, and also in the night time as hereby authorised in terms of section 7 of the said Act, and there

(a) inspect or search those premises, and there make such inquiries as may be necessary for the purpose of obtaining information in relation to the said unfair business practice.

(b) examine an object found on or in the premises which has or might have a bearing on the investigation into the said unfair business practice and request from the owner (in whose possession or charge) that object is, information regarding that object;

(c) make copies of or extracts from a book or document found on or in the premises which has or might have a bearing on the investigation, and request from a person who is suspected of having the necessary information, an explanation of an entry therein; and

(d) seize, against the issue of a receipt, anything on or in the premises which has or might have a bearing on the investigation, if the investigation officer needs to retain it for further examination or for safe custody.

\_\_\_\_\_  
CONSUMER AFFAIRS COURT

\_\_\_\_\_  
DATE

**FORM 8**

**REQUEST FOR DEFAULT JUDGEMENT [Reg 11(1)]**

**IN THE CONSUMER AFFAIRS COURT FOR THE NORTH WEST PROVINCE HELD AT MMABATHO**

**CASE NO \_\_\_\_\_**

In the matter between:-

-----

**PLAINTIFF**

**AND**

\_\_\_\_\_

**DEFENDANT**

The plaintiff applies that –

- a) the defendant having being duly served;
- b) the time for entering an appearance to defend having expired; and
- c) the defendant not having entered an appearance to defend,

Judgement be given against the defendant, as claimed in the summons for R\_\_\_\_\_, together with interest at \_\_\_\_\_ per cent.

Signed at \_\_\_\_\_ on \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_

\_\_\_\_\_  
**CLERK OF THE COURT**

**ANNEXTURE A****CERTIFICATE OF APPOINTMENT AS INVESTIGATION OFFICER IN TERMS OF SECTION 3 OF THE CONSUMER AFFAIRS (UNFAIR BUSINESS PRACTICES) ACT, 1996**

It is certified that

\_\_\_\_\_ (Full names)

is an investigating officer appointed in terms of the ABOVE Act.

DATE: \_\_\_\_\_

\_\_\_\_\_  
**SIGNATURE****ANNEXURE B****OATH OR AFFIRMATION BY PERSON SUMMONED IN TERMS OF THE CONSUMER AFFAIRS ACT 4 OF 1996 AS AMENDED)**

I, \_\_\_\_\_ swear / solemnly affirm, that the evidence which I shall give is the truth, the whole truth and nothing else but the truth. (In the case of an oath:) So help me God."

\_\_\_\_\_  
**DEPONENT**

I certify that the deponent acknowledged that he/she knows and understands the contents of this oath/affirmation and has no objection to taking the prescribed oath/affirmation which was signed and sworn before me at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_

\_\_\_\_\_  
**COMMISSIONER OF OATH**\_\_\_\_\_  
**DATE**

**ANNEXTURE C****OATH OR AFFIRMATION BY TRANSCRIBER IN TERMS OF THE CONSUMER AFFAIRS ACT 4 OF 1996 AS AMENDED)**

I, \_\_\_\_\_ swear / solemnly affirm, that

(a) I shall faithfully and to the best of my ability take down/record the proceedings of the Consumer Affairs Court for North West Province /the area of \_\_\_\_\_ (insert area), in short hand/by mechanical means as ordered by the chairperson of the court or other person presiding;

(b) that I shall transcribe fully and to the best of my ability shorthand notes/ a mechanical record of the proceedings of the Consumer Court for North West Province / the area of \_\_\_\_\_ (insert areas) made by me or by another person.

(in the case of an oath:) so help me God.”

\_\_\_\_\_  
DEPONENT

\_\_\_\_\_  
DATE

I certify that the deponent acknowledged that he/she knows and understands the contents of this oath/affirmation and has no objection to taking the prescribed oath/affirmation which was signed and sworn before me at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_.

\_\_\_\_\_  
COMMISSIONER OF OATH

\_\_\_\_\_  
DATE

**ANNEXURE D****OATH OR AFFIRMATION BY INTERPRETER (CONSUMER AFFAIRS ACT 4 OF 1996 AS AMENDED)**

I, \_\_\_\_\_ swear / solemnly affirm, that I shall faithfully and to the best of my ability take down/record the proceedings of the Consumer Affairs Court for North West Province, I will truly and correctly to the best of my ability interpret from the language which I may be called upon to interpret into another language as required by the Court, and the other way around. (In the case of an oath:) So help me God.”

\_\_\_\_\_  
DEPONENT

I certify that the deponent acknowledged that he/she knows and understands the contents of this oath/affirmation and has no objection to taking the prescribed oath/affirmation which was signed and sworn before me at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_.

\_\_\_\_\_  
COMMISSIONER OF OATH

\_\_\_\_\_  
DATE

**ANNEXURE E****SOLEMN OATH OR AFFIRMATION BY A MEMBER OR ALTERNATIVE MEMBER OF THE  
CONSUMER AFFAIRS COURT**

I \_\_\_\_\_, appointed as a Chairperson of the Consumer Affairs Court for the North West Province, in terms of section 11 of the Consumer Affairs (Unfair Business Practice) Act No.4 of 1996, as amended, do hereby swear/solemnly affirm that I will hold my office as a member of the Consumer Affairs Court for the North West Province with honour and dignity, that I will perform the duties of my office conscientiously and to the best of my ability without fear, favour or prejudice, and that I am not disqualified in terms of the Consumer Affairs (Unfair Business Practice ) Act No.4 of 1996, as amended, from holding office as member of the Court.

\_\_\_\_\_  
**Deponent**

\_\_\_\_\_  
**Date**

I certify that the deponent acknowledges that he / she knows and understands the contents of this oath/affirmation and has no objection to taking the prescribed oath /affirmation signed before me at ..... on this ..... day of ..... 20\_\_.

**COMMISSIONER OF OATH**

**DATE :** \_\_\_\_\_



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