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AIDS HELPLINE: 0800-0123-22 Prevention is the cure

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GENERAL NOTICE

NOTICE 42 OF 2003

DEPARTMENT OF TRADE AND INDUSTRY CONSUMER AFFAIRS (UNFAIR BUSINESS PRACTICES) ACT, 1988

NOMINATIONS RECEIVED TO SERVE AS MEMBERS OF THE SPECIAL COURT ESTABLISHED IN TERMS OF THE CONSUMER AFFAIRS (UNFAIR BUSINESS PRACTICES) ACT, 1988

The Minister of Trade and Industry has received nominations for persons to serve as members of the Special Court. The names of the nominees are published hereunder for purposes of general information and comments from the public.

MJ Molapo
PA Beck
TAR Van Rijn
JR Murphy
TN Aboobaker
MT Ratshitanga
XL Xuma
EM Stack
SBS Spilg
RAS Patel
D R Terblanche

GP Pretorius
S Perumal
CW Kruger
SS Mhlongo
MI Madondo
MM Jansen
LI Karp
DR Ivins
H Gani
RD Claasen

In terms of the Consumer Affairs (Unfair Business Practices) Act, 1988, there shall be a right of appeal by any person affected by a notice issued by the Minister of Trade and Industry under the above Act or any notice, direction or measure of a competent authority in terms of provincial legislation, to a Special Court.

The Special Court shall consist of a president, who shall be a judge of a high Court designated by the Chief Justice and two other members appointed by the President. To ensure an open and transparent process, organizations and individuals were on 11 and 13 October 2002 invited to submit names of suitable candidates to be appointed as members of the Special Court.

A nominee should have, as stipulated in the Act, special knowledge or experience of consumer advocacy, economics, or industry, commerce or financial matters. No person may be appointed a member of the Special Court if he/she

- (a) is not a citizen of the Republic resident in the republic;
- (b) is a public servant;

- (c) at the relevant time is, or during the preceding 12 months was, an office bearer, serving public representative or employee of any party, movement, organization or body of a party-political nature;
- (d) is an unrehabilitated insolvent;
- (e) had before the commencement of the Act been convicted of an offence for which he or she has been sentenced to imprisonment without the option of a fine, unless the President, having due regard to the nature of the offence and the circumstances of the case, is satisfied on reasonable grounds that such person is fit and proper to be so appointed;
- (f) has at any time been removed from an office of trust on account of misconduct or dishonourable conduct;
- (g) is of unsound mind; or
- (h) is a member of a competent authority.

Comments on the nominees should reach the Minister of Trade and Industry by not later than 7 February 2003.

Comments should be forwarded to:

The Director: Consumer Investigations
Private Bag X84
PRETORIA
0001

Tel: (012) 310 1150
Fax: (012) 320 0579

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