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GENERAL NOTICES

NOTICE 1377 OF 2003

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

I, Alexander Erwin, Minister of Trade and Industry, do hereby, in terms of section 10(3) of the Consumer Affairs (Unfair Business Practices) Act, 1988 (Act No. 71 of 1988), publish the report of the Consumer Affairs Committee on the result of an investigation made by the Committee pursuant to General Notice 3966 of 2000 as published in Government Gazette No.21636 dated 13 October 2000, as set out in the Schedule.

A ERWIN
MINISTER OF TRADE AND INDUSTRY

SCHEDULE

CONSUMER AFFAIRS COMMITTEE

REPORT IN TERMS OF SECTION 10(1) OF THE CONSUMER AFFAIRS (UNFAIR BUSINESS PRACTICES) ACT, 1988 (ACT No. 71 OF 1988)

Report No. 101

Worldwide International Finance, Maximum Financial Services, All African Consumer Aid, National Consumer Association, Vision Financial Brokers, National Financial Union, MegaPhase Financial, Thomas Watt, Richard Woods, André de Jager and Bregitte Venter (**Worldwide**)

1. The Consumer Affairs Committee - a brief background

The Consumer Affairs Committee (the Committee) administers the Consumer Affairs (Unfair Business Practices) Act, 71 of 1988 (the Act). It is a statutory committee in the Department of Trade and Industry that reports to the Minister of Trade and Industry (the Minister). The purpose of the Act is to provide for the prohibition or control of certain business practices.

An "unfair business practice" is defined in the Act⁽¹⁾ as any business practice which, directly or indirectly, has or is likely to have the effect of harming the relations between businesses and consumers, unreasonably prejudicing any consumer, deceiving any consumer or unfairly affecting any consumer.

The Committee has wide investigative powers. In broad terms the Committee is empowered to undertake investigations into:

- (a) the business practices of individuals and businesses that could be involved in unfair business practices⁽²⁾

and

- (b) any business practice in general which is commonly applied for the purposes of or in connection with the creation or maintenance of unfair business practices.⁽³⁾

(1) See s 1 the definition section

(2) In terms of sections 4(1)(c) and 8(1)(a). These are commonly referred to as 4(1) (c) and 8 (1) (a) investigations. A 4(1) (c) investigation is an informal preliminary investigation whilst an investigation in terms of s 8 is a formal investigation and notice of the investigation is published in the *Government Gazette*. The Committee conducts an 8(1) (a) investigation when it is investigating specific businesses or individuals. Any order by the Minister would only apply to those businesses and/or individuals that are named in the notice.

(3) In terms of section 8 (1) (b). This is commonly referred to as an 8(1) (b) investigation. The Committee conducts such an investigation when it is

A 4(1)(c) investigation enables the Committee to make a preliminary investigation in order to ascertain whether there is an unfair business practice in existence or whether there is a possibility that an unfair business practice may come into existence in the future. Notice of a 4(1)(c) investigation is not published in the *Government Gazette* but if the Committee is of the view that there is evidence of an unfair business practice and it decides to investigate the matter further, notice of the section 8 investigation is published in the *Government Gazette*. The purpose of a 4(1)(c) investigation is to enable the Committee to make a more informed decision as to whether there is a need for a formal investigation. The Minister is not empowered to make any decisions on the strength of a 4(1)(c) investigation but the Minister may do so following a section 8 investigation.

Should the Committee, after the conclusion of a section 8 investigation, resolve that an unfair business practice exists, or may come into existence, it recommends corrective action to the Minister.⁽⁴⁾ Orders of the Minister are published in the *Government Gazette*. A contravention of an order by the Minister is a criminal offence, punishable by a fine of R200 000 or five years imprisonment or both the fine and the imprisonment.

The Committee was preceded by the Business Practices Committee (BPC) which administered the Harmful Business Practices Act, 71 of 1988 (the former Act). The former Act was amended during 1999.⁽⁵⁾ As a result, the BPC was replaced by the Consumer Affairs Committee and the definition of a harmful business practice was amended and now refers to an unfair business practice. The investigations which can be undertaken by the Committee have remained the same and those sections of the Act and the former Act are identical.

discovered that many businesses or individuals have adopted a particular business practice which appears to be unfair. In other words it is now a general business practice. Any order by the Minister would be applicable to any individual or business that is operating a similar business or that intends to operate such a business in the future regardless of the fact that they were not specifically investigated.

(4) The powers of the Minister are set out in s 12

(5) The Act was amended by the Harmful Business Practices Amendment Act 23 of 1999

2. Introduction

This report deals with a formal 8(1)(a) investigation into the business practices of -

Worldwide International Finance, Maximum Financial Services, All African Consumer Aid, National Consumer Association, Vision Financial Brokers, National Financial Union, MegaPhase Financial, Thomas Watt, Richard Woods, André de Jager and Bregitte Venter (**Worldwide**)

3. Background

In August 1991, the BPC gave notice of its intention to conduct a general investigation into business practices involving advice to debtors and payments to or negotiations with creditors on behalf of debtors.⁽⁶⁾ This investigation resulted in the BPC's Report on Debt Mediation and Loan Assistance.⁽⁷⁾ This report deals with a range of problems which consumers, who are unable to meet their financial obligations, may encounter. These include the offering of debt counselling and advice, debt adjustment (renegotiation of debts), substitution of creditors (debt take over), debt distribution, debt refinancing and assistance in obtaining loans. These activities have the common, supposed aim, of improving the position of over committed debtors. These activities are, for the purpose of the report, referred to as "debt mediation". Notice 777 of 1995⁽⁸⁾ was a direct result of Report 30.

Notice 777 reads as follows:

- "1. In this regulation "intermediary" means any director, manager or employee of, or any person who acts on behalf of, a moneylender, and any person, except the moneylender who receives an application from any person who intends to borrow money in terms of a money lending

(6) Notice 750 of 1991, *Government Gazette* 13457 16 August 1991. This was an 8 (1) (b) investigation

(7) Report No 30 *Government Gazette* 15470 4 February 1994

(8) *Government Gazette* 16609 18 August 1995

transaction or who in any manner acts on behalf of any person intending to become engaged in any negotiations relating to such loan.

2. Subject to the provisions of paragraph 6, the business practice -
 - (a) whereby an intermediary, directly or indirectly, in respect of a money lending transaction or an application by any person to borrow an amount of money, demands, receives or recovers any valuable consideration, excluding bank charges or lawfully permissible interest, from the borrower or from any person so applying, whether for his own account or on behalf of any person other than the moneylender, but excluding agreements in terms of which the fee of the intermediary is recovered from the loan amount; or
 - (b) whereby a person, directly or indirectly, undertakes the payment, for reward, of amounts to creditors on behalf of a debtor, excluding bank charges or lawfully permissible interest,

is hereby declared unlawful.

3. Subject to the provisions of paragraph 6, the advertising by an intermediary, through any medium whatsoever, of the service whereby the payment, for reward, excluding bank charges or lawfully permissible interest, of amounts to creditors on behalf of a debtor is undertaken, is hereby declared unlawful.
4. Subject to the provisions of paragraph 6, any intermediary is herewith prohibited, directly or indirectly, from entering into an agreement with a person in respect of a money lending transaction or an application by any person to borrow an amount of money, granting such intermediary the right, whether conditionally or unconditionally, to receive or to recover, on his own account or on behalf of any person other than the moneylender, any valuable consideration, excluding bank charges or lawfully permissible interest, from the borrower or from any person so applying, but excluding agreements in terms of which the fee of the intermediary is recovered from the loan amount; or
5. Subject to the provisions of paragraph 6, any person is herewith prohibited, directly or indirectly, from entering into an agreement with a debtor, involving the payment, for reward, of amounts to creditors on behalf of that debtor, excluding bank charges or lawfully permissible interest.
6. This notice does not apply to-
 - (a) any person who practices as an attorney on his own account or as a partner in a firm of attorneys or as a member of a professional company, as defined in section 1 of the Attorney's Act, 1979 (Act No. 53 of 1979); or
 - (b) any person who is registered as an accountant or auditor in terms of the

- (c) Public Accountants' and Auditors' Act, 1991 (Act No. 5 of 1991); or estate agents who are holders of fidelity fund certificates in terms of section 16 of the Estate Agents' Act, 1976 (Act No. 112 of 1976); or
- (d) a moneylender or a creditor grantor or a lessor, as defined in section 1 of the Usury Act, 1968 (Act No. 73 of 1968), paying an intermediary for services rendered by him in connection with any transaction referred to in Regulation 2 (a); or
- (e) a banking institution as defined in section 1 of the Banks Act, 1990 (Act No. 94 of 1990); or
- (f) an employee or owner of any newspaper, magazine or other advertising medium."

4. Further complaints

Notwithstanding the order by the Minister, the Committee continues to receive a steady flow of complaints against businesses acting as intermediaries for loan applications. It appears that various businesses, acting as intermediaries, in respect of money lending transactions or applications to borrow money, are attempting to circumvent the Minister's prohibition by, for example, demanding that consumers:

- (a) become members of another association and pay an up-front membership fee
or
- (b) purchase an information package
before a loan application will be "processed" or considered.

Consumers who are now members of the association or who have purchased information packages are then supposedly also entitled to a wide range of other services such as various types of loans, debt rehabilitation, credit clearance, financial planning and para-legal services.

5. Investigation into Worldwide

After preliminary investigations into a number of complaints, the Committee identified several businesses including Worldwide as acting as intermediaries in money lending transactions and/or applications by persons to borrow money. The Committee resolved to investigate each business separately. On 29 February 2000, the Committee

resolved to undertake a 4(1)(c) investigation into the business practices of Worldwide. As the investigation proceeded, the names of other persons and businesses involved were added to the investigation.⁽⁹⁾

5.1 The complaints

The complaints received revolved around the payment of a fee when applying for a loan. Consumers responding to advertisements with headings such as "CASH LOANS - Loan applications are free", had to enrol as members of either All African Consumer Aid (AACA) or National Consumer Association (NCA) and were required to pay a membership fee. A six-month membership, allegedly entitled the members to various services (which will be detailed hereunder). Consumers complained that they applied for loans which were not granted and the **membership fee was not refunded**. It appeared that these consumers did not realise that Worldwide International Finance (WIF) nor Maximum Financial Services (MAX) were not money lenders and only acted as intermediaries. In addition, the results of the survey suggested that most of the consumers did not have the disposable income to service the loans applied for. The files of the complainants were examined and although none of them had the disposable income to service the loans applied for, they had been accepted as members. No evidence could be found that any of their applications were taken to money lenders or that they were notified of the results of their applications.

5.2 The practice

Worldwide advertises that it is in a position to obtain loans. Consumers who respond to these advertisements are then informed that they are required to become members of either AACA or NCA and have to pay a membership fee. The membership fee and membership period for Worldwide are R195 and 6 months and for Maximum Financial Services R200 and 3 months, respectively. It is not stated in the advertisements that

(9) Those involved in Worldwide include Worldwide International Finance, Maximum Financial Services, All African Consumer Aid, National Consumer Association, Vision Financial Brokers, National Financial Union, MegaPhase Financial, Thomas Watt, Richard Woods, André de Jager, Bregitte Venter

becoming a member is a prerequisite before a loan can be arranged. The investigation revealed that the complainants paid the "membership" fee in order to get a loan but were not interested in any of the other services.

Consumers/members are apparently offered the following services:

- micro loan, personal loan, housing loan and study loan applications,
- restoring of credibility,
- debt consolidation,
- short, medium and long term financial planning,
- financial spectrum evaluations,
- investment opportunities and
- short and long term insurance.

On the membership application form an asterisk next to all loan applications refers to a note which reads "Loan applications free". The Committee is of the view that this is an indication that Worldwide is aware of Notice 777 of 1995 and that the taking of an upfront fee by an intermediary has been declared unlawful. Further, the Committee is of the view that this is an attempt by Worldwide to circumvent the Minister's order.

5.3 The investigation

In a letter dated 14 January 2000 the investigating official gave Mr T Watt a brief background of the Act and included a copy of Notice 777 of 1995 and it was put to him that in the investigating official's opinion his business practice contravenes Notice 777. In the same letter it was also put to him the complainants alleged that they were promised a refund of the R195 membership fee if their loan application was unsuccessful and that this could be misleading and may warrant further investigation. The attorneys responded to this letter indicating that they did not agree that their client was contravening Notice 777 and requested that the grounds on which it was alleged that their clients' business(es) contravened Notice 777 be forwarded to them, in writing. They alleged that because of the membership the customer holds, he or she is entitled to make applications for loans free of charge and that the membership awards him or her these and other services.

The investigating officials visited the offices of Worldwide in the Apollo Building in Pretoria on 9 May 2000. Mr R Woods (Woods), an employee/consultant met with the investigating officials because Mr T Watt (Watt), the owner, was overseas at the time. Woods explained that:

- the business practice revolved around them acting as intermediaries for consumers who wished to borrow money;
- Max operated in Durban and all their administration was done at Worldwide's offices in Pretoria;
- the membership fee was refundable only in those cases where an applicant did not qualify for membership. The criteria used for membership was a nett salary of R900 per month and permanent employment. An applicant was deemed to be permanently employed if he or she had been employed for longer than three months. The applicant was required to produce salary advice slips;
- the applicant was entitled to terminate his or her membership within three days and the membership fee was refunded. (Consumers were not informed of this on any of the documents);
- the following services were provided in regard to loan applications:
 - assessing eligibility (disposable income was determined from the application form) and stability (period of current employment). In addition a credit check was carried out;
 - if eligible, the application was forwarded to a money lender. The money lenders are private investors, Saambou Bank, African Bank, ABSA Bank, Safrin and Lantern Financial Services. One or more of these money lenders would be approached to try to have the loan approved. If approval could only be obtained for a lesser amount, the member would be contacted to obtain his or her consent.
- they would not process any loan application before the applicant had become

a member and had paid the membership fees in full.

The investigator obtained copies of the advertisements. They did not refer to a membership fee. Woods could not provide any instances where services other than loans applications were provided and agreed that in the majority of cases, members were only interested in loans. The number of new members for 2000 only and as at 8 May 2000 was 3 021 members.

It was explained to Woods that the information obtained would be presented to the Committee and that Watt and/or any other person whom he wished to nominate, could present their case to the Committee.

In response to the attorney's request that the grounds on which it was alleged that their clients' business was contravening Notice 777 be forwarded to them in writing, a copy of the investigator's submission to the Committee for the meeting of 26 May 2000 was delivered by hand to WIF's offices. This submission contained the findings of the investigation, which included the information received at the meeting with Woods on 9 May 2000, and the investigator's recommendations to the Committee.

Watt, accompanied by his attorney, met with the Committee on 26 May 2000. The Committee established that the business practice was that of acting as an intermediary for loan applications. Watt confirmed that their main business was that of arranging loans for its members. The Committee again reiterated that it was of the opinion that the requirement of a membership fee was an attempt to circumvent Notice 777. The Committee requested Watt to stop conducting his business and associated businesses in this manner and also requested that he change the name of his business. The Committee informed him that it was of the opinion that the trading name, Worldwide, could mislead consumers into believing that they were dealing with an international business. Watt was requested to respond to the Committee's findings and to give the Committee his written commitment to change the business practice and to inform it of his proposed changes.

The attorney in a letter to the Committee, dated 23 June 2000, indicated that AACA and MAX would be closed down from that date. However, on 28 July 2000, Mr Chauke, a

complainant, met with the investigator. He informed the investigator that on 18 July 2000 he applied for a loan at Worldwide and had to pay a membership fee of R200 to become a member of AACA. This was clearly contrary to the attorney's letter. On 29 July 2000, contact was made with the attorney and his client's continuation of its business practices was discussed. He was noncommittal and said that he would make contact with his client on his return from England. The attorney was also informed that the Committee did not regard the letter of 23 June 2000 to be comprehensive and requested full details of how the business would operate in the future.

The attorney did not return any of the investigator's calls and a letter was e-mailed on 4 August 2000 and faxed on 7 August 2000 in which he was again requested to respond to the Committee's requests regarding the membership fees and the name change. Although the attorney had indicated to the Committee that his clients were willing to cooperate he never responded to the Committee's letter and did not agree to the signing of an undertaking which would have had the effect of stopping the unfair business practice.⁽¹⁰⁾

On 28 August 2000, the Committee received a complaint from Mr F J Veldman. He complained about a business called Vision Financial Brokers (Vision) in Kempton Park. From the complaint it appeared that Vision was also a loan application intermediary that sold memberships. The premises were visited on 5 September 2000. Mr André de Jager (de Jager) met with the officials. He said that he and his fiancé (Ms Bregitte Venter) were both consultants at Vision and that the manager was a Mr Richard Woods and that Mr Thomas Watt was the owner of the business. The investigator established that they were the same Woods and Watt mentioned previously. From the member register it could be deduced that the business started on 16 May 2000 (de Jager could not provide the exact date). Watt, at the meeting with the Committee on 26 May 2000, did not disclose the existence of Vision to the Committee.

(10) In response to the attorney's indication that his clients were willing to cooperate with the Committee, the Committee prepared an undertaking in terms of s 9 which was an attempt to reach agreement with Worldwide to ensure that the unfair business practice would cease. The Committee had requested that the signed undertaking reach the office of the Committee on or before 15 September 2000.

The Committee, on 29 September 2000, resolved to institute a formal 8(1)(a) investigation into the business practices of Worldwide and in a letter, dated 4 October 2000, the Committee informed the attorneys of its intention to publish the notice in the *Government Gazette*. The notice reads as follows:⁽¹¹⁾

"In terms of the provisions of section 8(4) of the Consumer Affairs (Unfair Business Practices) Act, 1988 (Act No. 71 of 1988), notice is herewith given that the Consumer Affairs Committee intends undertaking an investigation in terms of section 8(1)(a) of the said Act into the business practices of -

Worldwide International Finance, Maximum Financial Services, All African Consumer Aid, National Consumer Association, Vision Financial Brokers, National Financial Union, Thomas Watt, Richard Woods, André de Jager, Brigitte Venter, the owner(s), manager(s), any employee(s), agent(s) and/or representative(s) of any of the aforementioned in respect of the business practices of the aforementioned.

The investigation will *inter alia* focus on the payment of a membership fee to enrol with the above entities, after which certain services, such as acting as intermediaries for loan applications of the members, are offered.

Any person may within a period of fourteen (14) days from the date of this notice make written representations regarding the above-mentioned investigation to:"

On 16 February 2001, the Committee received a complaint from Mr Lekganyane and another on 9 May 2001 from Mr P S Steenkamp. Both complained about a business called MegaPhase Financial. It was clear from the documents received with these complaints that membership fees were still taken by AACA. When the business was contacted, it was confirmed that both Watt and Woods were involved. A letter addressed to the attorney, with a copy to Messrs Watt & Woods was faxed on 19 April 2001. They did not respond to the letter and the name, MegaPhase, was added to the Worldwide investigation.

5.4 The unfair business practice

The Committee is of the view that by insisting that consumers become members of an organisation before a loan is applied for is an attempt by Worldwide to circumvent Notice 777. The Minister's prohibition is clear and reads as follows:⁽¹²⁾

"the business practice whereby an intermediary, directly or indirectly, in respect of a money lending transaction or an application by any person to borrow an amount of money, demands, receives or recovers any valuable consideration,

(11) See Notice 3966 *Government Gazette* 13 October 2000

(12) See s 2 of the Notice

excluding bank charges or lawfully permissible interest, from the borrower or from any person so applying, whether for his own account or on behalf of any person other than the moneylender, but excluding agreements in terms of which the fee of the intermediary is recovered from the loan amount;..... is declared unlawful".

The Committee is of the view that the prerequisite that consumers become members of either AACA or NCA and pay a membership fee, is a practice whereby an intermediary **indirectly** demands, receives or recovers valuable consideration. Therefore, the Committee is of the view that Worldwide is contravening the notice and is committing a criminal offence.

In addition, the following practices were also identified as constituting unfair business practices:

- The advertisements/fliers which are worded "CASH LOANS" and claim that loan applications are free, are misleading.
- There was no evidence of any service, other than that of acting as an intermediary in respect of a money lending transaction.
- There is a statement in the standard letter which reads as follows: "Membership Fee, which is REFUNDABLE should membership not be accepted" which is misleading. The "REFUNDABLE" is printed in capital letters to make it more conspicuous. Consumers reading this could easily be misled into assuming that should the loan application be unsuccessful, his/her membership fee would be refunded. Discussions with complainants indicated that this was in fact the case and that those who had not been able to obtain loans believed that they should have their membership fees refunded.
- The only criteria used to "approve" membership was that the applicant had to earn a monthly salary of R900 or more and "permanent" (three months and longer) employment. This meant that most applicants qualified for membership but this did not mean that they would qualify for a loan. The investigator was unable to find any instance where a membership had been declined

- Membership was sold and the fee taken regardless of the applicant's disposable income and the prospect of a successful loan application. It was found that applications were "screened" after they had paid their membership fee and no further action (not submitted to the money lender) took place with those who would not qualify for a loan.
- No application, even if the applicant would most probably qualify for a loan, was processed before the required membership fee was paid.

5.5 Recommendation

The Committee is of the view that the business practices of Worldwide are unfair business practices. There are no grounds justifying the practices in the public interest.

The Committee therefore recommends that the Minister⁽¹³⁾ declare unlawful the business practice whereby the parties known as Worldwide International Finance, Maximum Financial Services, All African Consumer Aid, National Consumer Association, Vision Financial Brokers, National Financial Union, Mega Phase Financial Brokers, Thomas Watt, Richard Woods, André de Jager and Bregitte Venter directly or indirectly in respect of a money lending application and/or an application for any of the following services:

- micro loan, personal loan, housing loan and study loan applications,
 - restoring of credibility,
 - debt consolidation,
 - short, medium and long term financial planning,
 - financial spectrum evaluations,
 - investment opportunities and
 - short and long term insurance.
- (a) demand, receive or recover any valuable consideration, in advance or at the time of applying, from any prospective borrower or from any person so applying, whether on his own account or for any person other than the prospective borrower;

(13) In terms of s 12(1)(b)

- (b) demand, receive or recover any valuable consideration, in advance or at the time of applying for any of the service mentioned above, from any person so applying;
- (c) demand, receive or recover any valuable consideration in advance from a prospective borrower or an applicant for any of the abovementioned services to be provided, or requires the payment of any valuable consideration of any kind to become a member of any institution, association, business or entity for the right to use any of the abovementioned services;
- (d) use any advertisements or fliers which suggest that an application for a cash loan and/or service is free where there is a cost to the consumer.

Signed by

PROF T A WOKER

VICE -CHAIRPERSON: CONSUMER AFFAIRS COMMITTEE

NOTICE 1378 OF 2003
CONSUMER AFFAIRS (UNFAIR BUSINESS PRACTICES) ACT, 1988

I, Alexander Erwin, Minister of Trade and Industry, after having considered a report by the Consumer Affairs Committee in relation to an investigation of which notice was given in Notice No. 3966 of 2000 published in Government Gazette No. 21636 of 13 October 2000, which report was published in Notice 1377 in Government Gazette No. 24861 of 23 May 2003, and being of the opinion that an unfair business practice exists which is not justified in the public interest, do hereby exercise my powers in terms of section 12(1)(b) of the Consumer Affairs (Unfair Business Practices) Act, 1988 (Act No. 71 of 1988), as set out in the Schedule.

A ERWIN
MINISTER OF TRADE AND INDUSTRY

SCHEDULE

In this notice, unless the context indicates otherwise -

"the parties" means Worldwide International Finance, Maximum Financial Services, All African Consumer Aid, National Consumer Association, Vision Financial Brokers, National Financial Union, Mega Phase Financial Brokers, Thomas Watt, Richard Woods, André de Jager and Bregitte Venter.

"unfair business practice" means the business practice whereby the parties, directly or indirectly in respect of a money lending application and/or an application for any of the following services:

- micro loan, personal loan, housing loan and study loan applications,
 - restoring of credibility,
 - debt consolidation,
 - short, medium and long term financial planning,
 - financial spectrum evaluations,
 - investment opportunities and
 - short and long term insurance.
- (a) demand, receive or recover any valuable consideration, in advance or at the time of applying, from any prospective borrower or from any person so applying, whether on his own account or for any person other than the prospective borrower;
- (b) demand, receive or recover any valuable consideration, in advance or at the

time of applying for any of the service mentioned above, from any person so applying;

- (c) demand, receive or recover any valuable consideration in advance from a prospective borrower or an applicant for any of the abovementioned services to be provided, or requires the payment of any valuable consideration of any kind to become a member of any institution, association, business or entity for the right to use any of the abovementioned services;
 - (d) use any advertisements or fliers which suggest that an application for a cash loan and/or service is free where there is a cost to the consumer.
1. The unfair business practice is hereby declared unlawful in respect of the parties.
 2. This notice shall come into operation upon the date of publication hereof.
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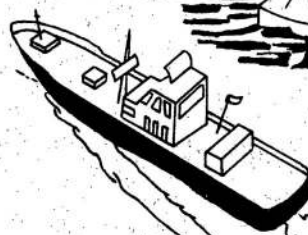
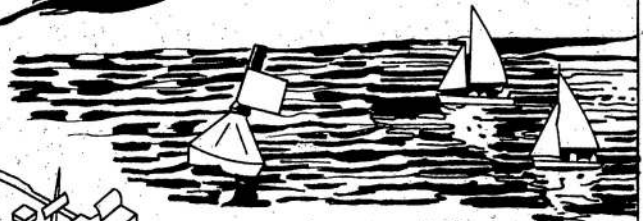
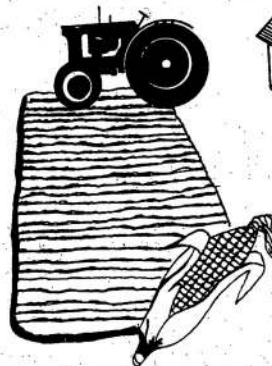
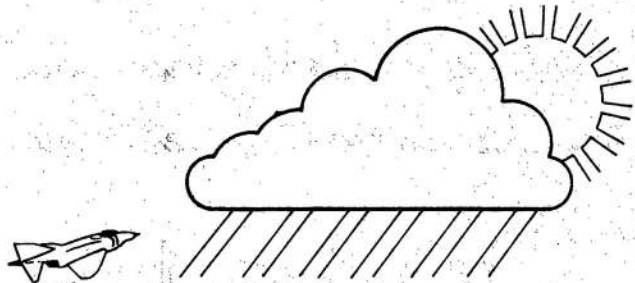
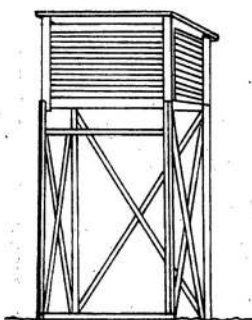
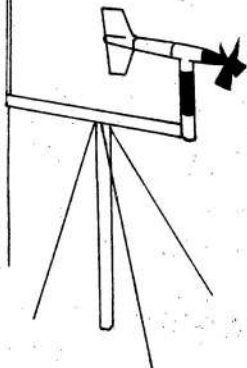
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