

# Consumer Commission - improvements are manifest

A platform for a more constructive working relationship between the National Consumer Commission, the automotive industry and business in general, had been established since the appointment of acting commissioner Ebrahim Mohammed, industry commentators said this week.

Nico Vermeulen, a director at the National Association of Automobile Manufacturers of South Africa (Naamsa), said it had received a positive response from the commissioner's office to its request for a meeting. The previous commissioner had not responded to their requests, he said.

Three business associations, including Naamsa, earlier this year complained to the Department of Trade and Industry about the former commissioner, Mamodupi Mohlala-Mulaudzi, accusing her of exceeding her authority and not communicating with them.

Naamsa, the Banking Association of South Africa and Business Unity South Africa raised their concerns with Trade and Industry Minister Rob Davies in July. Ms Mohlala-Mulaudzi's contract was terminated in September.

Rosalind Lake, a director at the law firm Norton Rose, said the commission was still battling with some of the legacies of the previous commissioner and Mohammed had "a few fires to put out".

"He is meeting more with business and things are moving in an encouraging fashion, but the report from the commission is that things have slowed down significantly."

Lake said the extreme financial constraint experienced by the commission was one of the reasons for the slow resolution of complaints.

She said many compliance notices from the previous commissioner had been taken on review.

The latest compliance notice relating to Citroen had been set aside by the National Consumer Tribunal, making it the ninth judgment against the commission this year.

The tribunal set it aside on the grounds that the conduct complained about happened before the Consumer Protection Act came into effect.

The commission tried to withdraw the compliance notice before it went on review before the tribunal, but Citroen objected, saying the commission did not have the power to withdraw a notice it had issued.

The tribunal agreed that a public body such as the commission could not change its own decisions.

Suppliers who have had their compliance notices set aside by the tribunal include Auction Alliance, BMW, Peugeot Citroen, Cell C, MTN, Vodacom and the City of Johannesburg.

Source: *Business Day* via I-Net Bridge

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