



NATIONAL CONSUMER COMMISSION VS CAPE TOWN MOTOR REPAIRS (PTY) LTD

Case Number: NCT/373868/2025/73(2)(b)

The Consumer filed a complaint after paying R60,000.00 upfront for vehicle repairs quoted at R124,900.17 on the 27th of February 2023, with completion promised within four to six weeks. Despite additional payments, the repairs remained incomplete by 6 July 2023.

The Tribunal found that the respondent had agreed to complete repairs within the four to six-week period but failed to meet the deadline, even after the complainant's upfront payment. The unclear terms of the agreement did not excuse the delay, as the repairs were still not completed by 6 July 2023.

The respondent violated sections 54(1)(a) and 19(2)(a) of the CPA by failing to complete vehicle repairs within the agreed timeframe and providing misleading excuses. The Tribunal found that the respondent breached consumer rights but could not grant relief under section 54(2) as no repairs were done. Instead, it considered a remedy under section 150(i) of the NCA to ensure the complainant's right to the return of the vehicle in its original condition. The respondent's conduct, which involved holding the vehicle for nearly two years without completing the repairs, was condemned.

Ruling: The respondent must return the vehicle to the complainant in the same condition it was when it was collected from the complainant and to refund the complainant R77 000.00 (seventy-seven thousand rands) within seven days of the issuing of judgment. An administrative fine of **R100,000.00** was imposed to deter similar conduct.

The impact:

1. **Consumer Protection and Timely Service:** The case highlights the importance of timely service delivery and transparency from service providers, as outlined in sections 54(1)(a) and 19(2)(a) of the Consumer Protection Act (CPA). It reinforces the obligation of suppliers to complete services within agreed timelines and to inform consumers of any delays, promoting accountability in business practices.
2. **Enforcement of Consumer Rights:** The Tribunal's decision underscores the enforcement of consumer rights, particularly the right to quality service and to be informed of delays. It demonstrates that suppliers who fail to meet agreed service standards can face consequences, such as penalties, which act as a deterrent for other suppliers considering similar misconduct.
3. **Penalties as a Deterrent:** The imposition of a substantial administrative fine (R100,000.00) signals the seriousness with which consumer rights violations are treated under South African law. This encourages businesses to comply with the CPA to avoid financial penalties and reputational damage, ultimately safeguarding consumer interests.
4. **Consumer's Right to Remedy:** The case also reinforces the consumer's right to seek remedy under the CPA, whether that involves completing the service, providing a refund, or, in this case, ensuring the return of the vehicle in its original condition. This serves as a reminder that consumers are entitled to fair treatment and can demand corrective action when services are not performed as agreed.
5. **Supplier Accountability:** This case serves as a strong message to suppliers that dishonest or negligent practices, such as withholding goods or providing poor service, will be condemned, and businesses must be held accountable for their conduct. Failure to comply with consumer protection laws can result in financial and legal consequences.