



NATIONAL CONSUMER COMMISSION

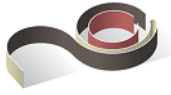
# REVISED ANNUAL PERFORMANCE PLAN

2024-2025



## Abbreviations and commonly used acronyms

CPA	-	Consumer Protection Act No. 68 of 2008
<b>the dtic</b>	-	Department of Trade, Industry, and Competition
CGSO	-	Consumer Goods and Services Ombud
CTFL	-	Clothing, Textile, Footwear and Leather goods
DPSA	-	Department of Public Service and Administration
HR	-	Human Resource/s
ICT	-	Information and Communications Technology
ITAC	-	International Trade Administration Commission
MIOSA	-	Motor Industry Ombud of South Africa
NCC	-	National Consumer Commission
NRCS	-	National Regulator for Compulsory Specifications
NCT	-	National Consumer Tribunal
OORS	-	Opt-Out Registry System
PFMA	-	Public Finance Management Act
SABS	-	South African Bureau of Standards



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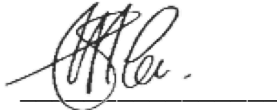
## Executive Authority Statement

I hereby present the revised Annual Performance Plan (APP) of the National Consumer Commission (NCC) for the 2024/2025 financial year, which aligns with the 7<sup>th</sup> administration's overarching goals of fostering inclusive growth, reducing poverty and having a capable, ethical, and developmental state. As the custodian of consumer rights, the NCC plays a pivotal role in safeguarding consumers and enhancing confidence in the marketplace, thereby contributing to South Africa's broader economic development and industrialization objectives.

The NCC's efforts are instrumental in eradicating practices that undermine local production and industrialization, such as the sale of expired goods, incorrect product labelling, and the importation of non-compliant products. The eradication of prohibited conduct, including Ponzi schemes and fraudulent activities that exploit vulnerable populations, remains a central focus of the NCC in addressing the high cost of living and minimizing consumer harm caused by unsafe goods and exploitative supplier practices, the NCC's works to ensure that the marketplace is one where all consumers can participate without fear of exploitation or unfair treatment.

Moreover, the NCC's efforts in improving service delivery channels demonstrate our commitment to efficiency and responsiveness in public service. This ensures that consumers can seek redress quickly and effectively, further instilling trust in our consumer protection mechanisms.

The revised APP of the NCC aligns with Government's priorities for the 7<sup>th</sup> administration which strive for an economy that is inclusive, fair, and serves the interests of all South Africans.



**Mr. Parks Tau, MP**

**Minister of Trade, Industry, and Competition**

**Republic of South Africa**

## Accounting Authority's Statement

I am pleased to present this Annual Performance Plan (APP) of the National Consumer Commission ("the NCC"). This plan details the NCC's strategic goals that it has committed to. The mandate of the NCC is to enforce the Consumer Protection Act (No. 68 of 2008) by ensuring that it protects, promotes, and advances the social and economic welfare of consumers, thus ensuring a fair marketplace for safe consumer goods and services.

### **1. THE OVERALL FOCUS DURING THE PREVIOUS PLANNING PERIOD**

The overall focus for the previous period was to realise the following outcomes:

- Accessible and coherent consumer protection;
- To promote a fair marketplace;
- To promote the supply of safe goods to consumers;
- To support transformation of the economy by providing guidance to comply with the CPA; and
- To support industrialisation by combating illegal imports related to clothing, textile, footwear, and leather (CTFL).

The outcomes were underpinned by activities in the following strategic focus areas:

- Conducting education and awareness initiatives for consumers on their rights and the provision of the CPA;
- Communication of consumer protection activities through media engagement;
- Provision of business guidance on the provisions of the CPA to foster compliance;
- Monitoring the efficacy of the accredited ombud schemes;
- Monitoring and administration of product recalls; and
- Investigation and enforcement of alleged prohibited conduct.

The NCC aligned its investigation, enforcement, education, and awareness interventions to contribute to the core outputs of **the dtic**.

### **2. ACCOMPLISHMENTS IN THE PREVIOUS PERIOD**

#### **2.1 Overall performance and good governance**

The NCC has achieved 9 out of its 9 targets (100%) in the APP.

The NCC also obtained a clean audit opinion in 2022/2023 (the 4<sup>th</sup> since 2018/19) as a result of good corporate governance and prudent management.

## **2.2 Reputation Building**

The NCC enjoyed good media coverage with a positive tone and improved on its strides to reach consumers and business by providing information through community radio stations and online platforms. The NCC participated in the following media activities: 173 radio interviews from various radio stations, with most interviews taking place around the World Consumer Rights Day (WRCD), 20 Television interviews, 168 online Media Coverage, 97 Radio Sound Bites, 116 Newspaper Articles, 17 Media Statements and 1 Opinion Piece.

The topics covered in the above media participation included product recalls (the Loreal Dark and Lovely, Mercedes Benz, Knorr-cup-a-soup, Purity's baby powder, and the Gizzu portable power supply), High court judgment in relation to Platinum Wheels, NCT's decision on Mike's Motors, My Droom Troue, Investment Scams, World Consumer Rights Day, the NCC's efforts in curbing the proliferation of non-compliant Clothing, Textile, Footwear and Leather goods, liquidation of Comair and other provisions of the CPA.

## **2.3 Consumer education and business guidance**

The NCC conducted focused sessions for different consumers and businesses. 24 business guidance initiatives were conducted to guide small businesses on the provision of the CPA, to inculcate compliance.

60 in-person consumer education and awareness initiatives were conducted to cater to consumers in townships and rural areas.

## **2.4 Investigations and enforcement**

In the 2022/2023 financial year, 357 investigations were completed, and enforcement action was taken against 85 non-compliant suppliers.

The NCC, through its enforcement activities, obtained redress to consumers in the amount of R6 257 681.98, administrative fines in the amount of R381 000.00, and compliance notices, instructing importers of non-compliant CTFL to destroy or remove those goods from the African continent, in the amount of R21 630 941.58.

### 3. STRATEGIC FOCUS FOR THIS PERIOD

The Cabinet Lekgotla agreed on a minimum Programme of Priorities and approved that this be translated into the draft Medium-Term Development Plan 2024-2029 (MTDP) as a more detailed plan. The MTDP will thus serve as the 5-year medium-term plan for the 7<sup>th</sup> Administration of the Government. The priorities are:

- i) Rapid, inclusive and sustainable economic growth and job creation (infrastructure, industrialisation, land reform, structural reforms, transformation, fiscal sustainability, macroeconomic management).
- ii) Reduce poverty and tackle the high cost of living (reduce spatial inequality, enhance food security and nutrition, social safety net, basic services).
- iii) Improve the delivery of basic services and bring stability to local government.
- iv) Investing in people through quality education and healthcare.

- v) Rebuild the capability of the state and create a professional public service (metric based, restructuring SOEs).
- vi) Strengthen law enforcement agencies to address crime, corruption and GBVF.
- vii) Social cohesion and nation building.

From the seven priorities, there are 3 MTDP Priorities being:

- i) Inclusive growth and job creation;
- ii) Reduce Poverty and tackle the high- cost of living; and
- iii) A capable, ethical, and developmental state

The NCC has aligned its work to meet these 3 MDTP Priorities through the implementation of its governing legislation. The NCC will implement the following institutional programmes:

- i) Contribution to Government industrialization and transformation of economy;
- ii) Curbing prohibited conduct;
- iii) Education and awareness; and
- iv) Improving service delivery efficiencies.

Table 1: institutional programmes

STRATEGIC OBJECTIVE	MTDP PRIORITIES
Contribution to Government’s industrialization goals.	Inclusive growth and job creation
Curbing prohibited conduct.	Reduce Poverty and tackle the high- cost of living.
Education and Awareness	A capable, ethical, and developmental state.
Improving service delivery efficiencies.	A capable, ethical, and developmental state.

To achieve these strategic objectives, the NCC has 7 key priority areas being:

- i) Secondhand automotive industry;
- ii) Unsafe and expired foods in all provinces;
- iii) Unfair and unreasonable pricing of goods and services;
- iv) Combating importation of non-compliant Clothing, Textile, Footwear and Leather goods (CTFL);
- v) Market monitoring of low-quality imported goods – focus on imported frozen chicken, metal roof sheeting, gardening tools and wheelbarrows;
- vi) Scams and Ponzi Schemes; and
- vii) Product recalls.

In this period, the NCC will implement measures to strengthen collaboration with other regulatory authorities, particularly with entities within the dtic, namely, standard setting bodies and regulators including SABS, NRCS, Competition Commission, ITAC as well as various Government departments (National Department of Health, Department of Agriculture, Forestry, Fisheries and Environment) and related entities.

## **ACKNOWLEDGMENTS AND APPRECIATION**

I thank the management and the entire NCC staff for their dedication and effort throughout the year.

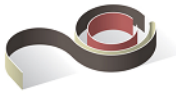
I also thank the Audit and Risk Committee members and the Internal and External Auditors for the support and guidance provided. I express my gratitude to the DDG: CCRB, Dr Evelyn Masotja, and Acting DG Malebo Mabitje-Thompson for support, Deputy Ministers Zuko Godlimpi and Andrew Whitfield and Minister Parks Tau for strategic guidance and overall support.



**Mr. Hardin Ratshisusu**

**Acting Commissioner**

**Date:** 25/10/2024




### Official Sign Off

It is hereby certified that this annual performance plan:


- Was developed by the management of the NCC under the guidance of the Executive Authority;
- Takes into account all the relevant policies, legislation, and other mandates for which the NCC is responsible; and
- Accurately reflects the impact, strategic outcomes and outputs which the NCC will endeavour to achieve over the period from 1 April 2024 to 31 March 2025.

  
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**Mr Lefu Nhlapo**  
 Acting Chief Financial Officer

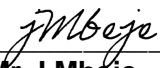
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**Ms P Moilwa**  
 Divisional Head: Complaints and Investigations

25/10/2024  
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**Date**

  
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**Ms P Kweyama**  
 Divisional Head: Education and Advocacy

25/10/2024  
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**Mr J Mbeje**  
 Divisional Head: Enforcement and Legal Services

25/10/2024  
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**Mr J. Selolo**  
 Company Secretary

25/10/2025  
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**Date**

  
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**Ms T Mabuza**  
 Deputy Commissioner

25/10/ 2024  
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**Date**

  
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**Mr H. Ratshisusu**  
 Acting Commissioner

25/10/2024  
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**Date**

# PART A



## OUR MANDATE

**REPAIR**

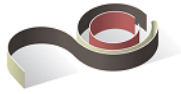


**The NCC derives its  
mandate from  
section 85 of the  
CPA**



**NEWS AND UPDATES**





## 1. Updates to relevant legislative and policy mandates

1. The CPA aims to promote and advance the social and economic welfare of consumers by:

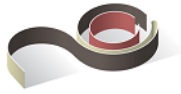
- i) Establishing a legal framework for the achievement of a fair, accessible, responsible and sustainable market;
- ii) Reducing any disadvantages experienced in accessing the supply of goods and services by low income, low literacy, rural and vulnerable consumers;
- iii) Promoting fair business practices;
- iv) Protecting consumers from unfair and deceptive conduct;
- v) Improving consumer awareness; and
- vi) Providing for an accessible, efficient and effective system of redress.

2. The main functions of the NCC are to:

- i) Improve consumer protection through education and awareness interventions;

- ii) Improve compliance with the CPA through business guidance interventions;
- iii) Receive complaints concerning alleged prohibited conduct and deal with them as prescribed by the provisions of the CPA;
- iv) Monitor the consumer goods and services market to prevent, detect and/ or prosecute contravention;
- v) Conduct investigations against suppliers allegedly engaging in prohibited conduct
- vi) Issue and enforce compliance notices;
- vii) Negotiate and conclude undertakings and consent orders; and
- viii) Refer matters to the NCT and appear before the NCT.

3. The NCC is responsible for enforcing the Consumer Protection Act (CPA) and investigating consumer complaints. Where the investigation reveals that the CPA has been contravened, that finding is the end of the matter as the NCC has to refer the case to the National Consumer Tribunal for adjudication. The



Consumer Tribunal adjudicates cases referred by the NCC and has the authority to hear cases, make rulings, and impose penalties on businesses that breach consumer protection laws.

## 2. Updates to institutional policies and strategies

The outcome of the general elections on 29 May 2024 saw the formation of the Government of National Unity (GNU). The Cabinet Lekgotla on 13 - 14 July 2024 agreed on a minimum Programme of Priorities and approved that this be translated into the draft Medium-Term Development Plan 2024-2029 (MTDP) as a more detailed plan. The MTDP will thus serve as the 5-year medium-term plan for the 7<sup>th</sup> Administration of the Government. The priorities are:

- i) Rapid, inclusive and sustainable economic growth and job creation (infrastructure, industrialisation, land reform, structural reforms, transformation, fiscal sustainability, macroeconomic management).
- ii) Reduce poverty and tackle the high cost of living (reduce spatial inequality, enhance food security and nutrition, social safety net, and basic services).

- iii) Improve the delivery of basic services and bring stability to local government.
- iv) Investing in people through quality education and healthcare.
- v) Rebuild the capability of the state and create a professional public service (metric based, restructuring SOEs).
- vi) Strengthen law enforcement agencies to address crime, corruption and GBV&F.
- vii) Social cohesion and nation building.

From the seven priorities, there are 3 MTDP Priorities being:

- i) Inclusive growth and job creation;
- ii) Reduce Poverty and tackle the high- cost of living; and
- iii) A capable, ethical, and developmental state.

The **dtic**, in its strategic plan has identified the following ten core outputs required to achieve the targeted economic growth objective by 2030:

- i) 4 million Jobs created;
- ii) R3 trillion Investment;



- iii) 255 000 SMME supported;
- iv) 15 million international tourist arrival;
- v) 2.1 million work experience;
- vi) 441 000 subsistence farmers;
- vii) 200 industrial parks and DDM transformation;
- viii) R1 trillion in exports; and
- ix) Red tape reduction.

The NCC has aligned its work to meet these three MDTP Priorities and the ten core outputs through the implementation of its governing legislation. The NCC as a regulator, whose decisions are not subject to adjudication by the National Consumer Tribunal, has identified the strategic objectives that will contribute the MDTP Priorities as well as the Ten core **dtic** outputs. These are:

- i) Contribution to Government's industrialization goals;
- ii) Curbing prohibited conduct;
- iii) Education and awareness; and
- iv) Improving service delivery efficiencies.

The NCC will therefore implement the following strategic outcomes:



Table 2: Strategic objectives and outcomes

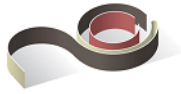
STRATEGIC OBJECTIVE	STRATEGIC OUTCOME	OUTCOME NUMBER	TARGETS	OUTCOME INDICATOR
Contribution to Government's industrialization goals.	Eradicate practices that undermine local production and industrialization.	1.	Market monitoring inspections targeted against the sale of non-compliant substandard goods and foodstuffs, product labelling and general non-compliance with the CPA.	Number of market monitoring inspections.
	Reduction in practices that involve the importation of non-compliant CTFL	2.	CTFL matters referred to the NCC by SARS Customs finalized.	Time taken to finalize the CTFL matters.
	Enhanced collaboration with regulatory bodies (national and provincial authorities) to improve regulatory outcomes for consumers.	3.	Collaboration with regulatory bodies with concurrent jurisdiction	Number joint initiatives.
	Improved outcomes for consumers.	4.	Strategic oversight over accredited consumer protection ombud schemes.	Number of engagements.



STRATEGIC OBJECTIVE	STRATEGIC OUTCOME	OUTCOME NUMBER	TARGETS	OUTCOME INDICATOR
	SMME supported.	5.	Preferential procurement from SMME's in designated groups.	Percentage of preferential procurement from SMME's in designated groups.
		6.	Conduct business education targeted at companies in industrial parks to ensure compliance with the CPA.	Number of business education targeted at companies in industrial parks conducted.
	Work experience provided.	7.	Internship programmes provided.	Number of interns employed by the NCC and accredited ombud schemes namely, MIOSA and CGSO.
Curbing prohibited conduct.	Reduction in the prevalence of Ponzi schemes and fraudulent activities targeting vulnerable populations.	8.	Investigations into Ponzi Schemes Finalised.	Time taken to finalize the investigations.
	Minimized harm to consumers caused by unsafe or defective goods and exploitative supplier practices.	9.	Initiate high impact investigation into high priority sectors including steel, food and unsafe goods exploitative supplier practices.	Number of high impact investigations into priority sectors including steel, food, and unsafe goods exploitative supplier practices initiated.



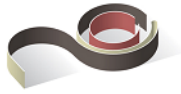
STRATEGIC OBJECTIVE	STRATEGIC OUTCOME	OUTCOME NUMBER	TARGETS	OUTCOME INDICATOR
	Minimized harm to consumers caused by unsafe or defective goods and exploitative supplier practices.	10.	Finalize high impact investigation into high priority sectors including steel, food and unsafe goods exploitative supplier practices	Finalize high impact investigation into high priority sectors including steel, food and unsafe goods exploitative supplier practices
	Minimized harm to consumers caused by unsafe or defective goods and exploitative supplier practices.	11.	finalized complaints in priority sectors including second-hand cars	Percentage of complaints in priority sectors including second-hand cars finalized
	Success before the NCT and Courts.	12.	Success rate in cases presented before the National Consumer Tribunal and Courts.	Percentage of cases in favour of the NCC matters brought before the National Consumer Tribunal and/or Courts.
	Minimized harm to consumers caused by unsafe or defective goods and exploitative supplier practices.	13.	Administer product recalls and issue communication, thereon, within 20 business days of receipt of product recall notice from suppliers.	Time taken to administer and issue communication on product recalls.
	Minimized harm to consumers caused by unsafe or defective	14.	Finalize 80% of energy-related complaints within 6 months.	Percentage of energy-related complaints finalized within a specified period.



STRATEGIC OBJECTIVE	STRATEGIC OUTCOME	OUTCOME NUMBER	TARGETS	OUTCOME INDICATOR
	goods and exploitative supplier practices.			
Education and Awareness	Enhanced public knowledge and understanding of the CPA	15.	Conduct consumer education and awareness initiatives targeted at consumers.	Number of consumer education and awareness initiatives conducted
	Enhanced public knowledge and understanding of the CPA	16.	Conduct business education and awareness initiatives targeted at SMMEs	Number of business education and awareness initiatives conducted
	Enhanced public knowledge and understanding of the CPA	17.	Produce a newsletter targeted at consumers and SMMEs	Number of newsletters produced
Improving service delivery efficiencies.	Service delivery channels optimized	18.	Answer calls made to the contact centre.	Percentage of answered inbound calls to the contact centre
	Service delivery channels optimized	19.	Availability of complaints handling e-Service System and Website	Available complaints handling e-Service System and Website
	Improved turnaround times for payment of service providers	20.	Pay service providers within 20 business days.	Number of days taken to pay suppliers.

To achieve these strategic objectives, the NCC has identified seven key priority areas for enforcement, being:

- i) Secondhand automotive industry;
- ii) Unsafe and expired foods in all provinces;
- iii) Unfair and unreasonable pricing of goods and services;



- iv) Combating importation of non-compliant Clothing, Textile, Footwear And Leather goods (CTFL);
- v) Market monitoring of low-quality imported goods – focus on imported frozen chicken, metal roof sheeting, gardening tools and wheelbarrows;
- vi) Scams and Ponzi Schemes; and
- vii) Product recalls.

In this period, the NCC will implement measures to strengthen collaboration with other regulatory authorities, particularly with

entities within **the dtic**, namely, standard setting bodies and regulators including SABS, NRCS, Competition Commission, ITAC as well as various Government departments (National Department of Health, Department of Agriculture, Forestry, Fisheries and Environment) and related entities. The collaboration with Competition Commission will particularly focus on unfair pricing conduct by firms as this is crucial to address cost of living concerns.

The NCC will also strengthen oversight over ombud schemes, namely the Motor Industry Ombuds of South Africa and the Consumer Goods and Services Ombud.

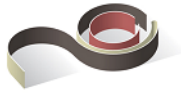
### 3. Updates to Relevant Court Rulings

The NCC appraises the rulings and decisions of the High Courts and the NCT regularly. The NC considers the likely impact of these decisions when crafting our strategic plans. A summary of recent court decisions and rulings is provided in the following page:

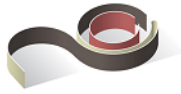


Table 3: Update to relevant court rulings

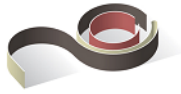
No.	Matter Name	Court & Case reference number	Legal issues and status
1.	Soulever Wellness V NCC	NCT/159598/2020/101(1)	<p><b>NATURE OF MATTER:</b> This was an application for review of a Compliance Notice. The Importer had Imported Goods stating, “made in South Africa” and the NCC issued a Compliance Notice stating that the Importer has, amongst others, contravened Section 24(2)(a) read with Regulation 6(1)(b):</p> <p><b>RULING:</b> The NCT held that there is no evidence that the Importer knowingly applied the incorrect labels, and that Section 24(2) (a) requires knowledge with intention to mislead. The Compliance Notice was set aside.</p> <p><b>GUIDANCE:</b> In the future, the NCC should rely on Section 24(5) and Regulation 6(1) (e) which relates to incorrect information, and which does not need <i>mens rea</i>.</p>
2.	NCC V National Auto Brokers	NCT/172929/2020/73(3)	<p><b>NATURE OF THE MATTER:</b> This was an Application in terms of Section 73(2) (b) for alleged contravention of Section 56(2)(a).</p> <p><b>PRINCIPLE FOR DETERMINATION:</b> The matter was referred to the Tribunal more than 3 years after the cause of the complaint. The NCT mero muto raised the issue of prescription. This was the first matter that came up for determination following the Ludick decision.</p> <p><b>RULING:</b> The NCT ruled that the matter has prescribed.</p> <p><b>GUIDANCE:</b> The NCC is urged to be conscious of timeframes and Section 116 and to avoid referring matters where the issue will arise. It is advisable to write the prescription date on the file cover.</p>



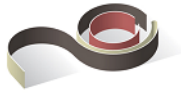
No.	Matter Name	Court & Case reference number	Legal issues and status
3.	NCC V Brilliant Autoworx	NCT-194166-2021-73(2)(b)	<p><b>NATURE OF THE MATTER:</b> This is an Application in terms of Section 73(2)(b) of the CPA alleging contravention of Section 19(2)(a)(i) and 54(1)(a) of the CPA.</p> <p><b>ISSUES FOR DETERMINATION:</b> The Consumer took his motor vehicle to the Respondent for repairs after it was involved in an accident. The Respondent failed to repair the Motor Vehicle despite receiving payment from the Consumer.</p> <p><b>RULING:</b> The NCT ruled in favour of the NCC finding that the Supplier has contravened 19(2)(a)(i) and 54(1)(a) of the CPA.</p> <p><b>GUIDANCE:</b> This is a good ruling for the NCC. However, the supplier has failed to comply with the order, and it is not clear if the supplier still exists. This indicates the challenge that the NCC will continue to have in similar matters as it is easy for the suppliers to abandon the business and to start a similar business under a new name. The supplier can't be traced at present.</p>
4.	NCC V Ismacube	NCT/138658/2020/73(2)(b)	<p><b>NATURE OF THE MATTER:</b> This is an Application in terms of Section 73(2) (b) of the CPA arising from the supply of speculative software. The NCC sought orders for contravention of various provisions of the CPA.</p> <p><b>ISSUES FOR DETERMINATION:</b> The matter was originally opposed, and the supplier raised various legal issues.</p> <p><b>RULING:</b> The matter was decided in favour of the NCC, and the supplier was found to have contravened Sections 16(3) read with section 20(2)(a); Section 16(4)(b); and Section 48(1) and 48(2).</p> <p><b>GUIDANCE:</b> This is a good ruling for the NCC. However, the supplier has failed to comply with the order, and it is not clear if the supplier still exists. This indicates the challenge that the NCC will</p>



No.	Matter Name	Court & Case reference number	Legal issues and status
			continue to have in similar matters as it is easy for the suppliers to abandon the business and to start a similar business under a new name. The supplier can't be traced at present.
5.	NCC V Selina Sandra Kasner	NCT/176450/2021/100(6)(a)	<p><b>NATURE OF THE MATTER:</b> This is an Application in terms of Section 100(6) for failure to comply with a Compliance Notice</p> <p><b>ISSUES:</b> The Importer admitted non-compliance with the Compliance Notice but prayed for leniency.</p> <p><b>RULING:</b> An Administrative fine of R 10 000,00 was imposed upon the Importer.</p> <p><b>GUIDANCE:</b> This matter was a breakthrough matter and created a precedent as there is a few Importers that do not comply once they receive a PAJA letter. The challenge is that in most noncomplying importers, the NCC do not have their contact details, and the NCC only has the agent's details. The agents will then advise that the Importer is no longer responding, and they are no longer involved in the matter. The Importer Authorisation form needs to be amended to contain the full importer address, contact person and contact details.</p>
6.	NCC V Titan Trade Auto	NCT/183856/2021/73(2)(b)	<p><b>NATURE OF THE MATTER:</b> This is an Application in terms of Section 73 (2) (b) for an order in terms of Section 56(2) (b).</p> <p><b>ISSUES FOR DETERMINATION:</b> The Supplier raised a <i>point in limine</i> of prescription as the cause of complaint arose more than 3 years prior to the referral.</p> <p><b>RULING:</b> The Consumer returned the Motor Vehicle to the supplier timeously and demanded a refund that was refused. The NCT ruled that the refusal was ongoing, and the matter has not prescribed.</p> <p><b>GUIDANCE:</b> The supplier has applied for a review of the NCT decision, and the matter is pending. The NCC has had to deal with a lot of prescription matters with contrasting results. It is urged that everyone be mindful of prescription and that the issue of prescription be avoided.</p>



No.	Matter Name	Court & Case reference number	Legal issues and status
7.	NCC V Jida Auto Investments	NCT/158339/2020/73(2)(b)	<p><b>NATURE OF THE MATTER:</b> This is an Application in terms of Section 73 (2) (b) for an order in terms of Section 56(2) (b) (refund of the Purchase Price).</p> <p><b>ISSUES FOR DETERMINATION:</b> The Supplier raised several <i>points in limine</i>, including one of prescription as the cause of complaint arose more than 3 years prior to the referral. The NCC argued that the cause of action arose less than 3 years prior to the referral of the matter, alternatively, the cause of the complaint constitutes continuing conduct.</p> <p><b>RULING:</b> The NCT ruled that the consumer had elected a replacement and not a refund, and that the matter fell within Section 56(2) (a) and not 56(2) (b). The Applicant has not made out a case for continuing conduct in respect of section 56 (2)(a) of the CPA, and the Respondent has not been afforded the opportunity to specifically answer any allegation that it contravened section 56 (2)(a) of the CPA. In the circumstances, it would not be appropriate for the NCT to make a finding on whether the refusal to replace the vehicle took place and whether it constitutes continuing conduct.</p> <p><b>GUIDANCE:</b> It is urged that the report should clearly reflect the following: (1) What was the Consumer’s election and when; (2) What is the exact cause of the complaint; (3) When did the cause of the complaint arise</p>
8.	NCC V The Turbo Man CC	NCT/174555/2020/73(2)(b)	<p><b>NATURE OF THE MATTER:</b> This was an application for contravention of section 26(2) and (3) and section 56 (3) of the CPA in that three consumers took their vehicles for repairs but after collecting those vehicles, initial and further defects were then discovered. However, the consumer took almost two years to report the matter at MOISA, resulting in two of those matters having been referred to the NCT after 3 years has lapsed.</p> <p><b>PRINCIPLE:</b> Whether the referral of the matter to MIOSA interrupts prescription in terms of section 116 of the CPA</p>



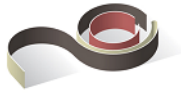
No.	Matter Name	Court & Case reference number	Legal issues and status
			<p><b>RULING:</b> NCT rules that previously it has held on various matters that such referral interrupts prescription in terms of section 116 of the CPA, but since the decision of the High Court where it was held that there is no provision in the CPA that deals with interruption of prescription therefore if a matter is referred to the NCT after the lapse of three years from the date of the cause of action complained about, the NCT is barred from entertaining that matter.</p> <p><b>GUIDANCE:</b> Consumers need to be informed by way of explanatory notes about prescription and the issue of when it starts to run, due to previous decisions of the NCT that have been overruled by the High Court.</p>
9.	NCC V Boats Cape Town	NCT/178143/2021/73(2)	<p><b>NATURE OF THE MATTER:</b> This is an application that was brought against the Respondent for having failed to disclose that he was acting as an intermediary when selling a Ski Boat to the consumer and he received certain fees for such. The Respondent's defence is that the consumer knew that he was not an owner and therefore acting as an intermediary.</p> <p><b>PRINCIPLE:</b> The mere fact that you are selling goods on behalf of the owner for a financial consideration does not exclude you from being bound by the provisions of section 27(1) read with Regulation 9 of the CPA.</p> <p><b>RULING:</b> The NCT ruled in favour of the NCC that mere disclosure that a person is selling goods on behalf of the owner is not sufficient, but the intermediary must also disclose all fees that he/she will receive because of selling such goods.</p> <p><b>GUIDANCE:</b> If an intermediary who sell goods and receives any monetary consideration for selling such goods whilst not employed by the owner of goods, such intermediary required to comply with section 27(1) read with Regulation 9 of the CPA.</p>



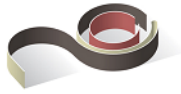
No.	Matter Name	Court & Case reference number	Legal issues and status
10.	Barnado v NCC & others	High Court, Gauteng Division- Case NO: 47933/17	<p><b>NATURE OF THE MATTER:</b> The NCC delayed the finalization of investigation in this matter which led to the consumer asking for the High Court to compel the NCC to finalize the report and take necessary action to protect the rights of a consumer.</p> <p><b>PRINCIPLE:</b> The High Court found that the delay in the finalization of an investigation and action being taken to protect the rights of the consumer was not in the spirit and the purpose of the CPA and ordered the NCC to pay the costs of the application jointly and severally with the supplier.</p> <p><b>GUIDANCE:</b> Investigation and enforcement of outcome of the investigation report must be done speedily to promote the spirit and purpose of the CPA, failing which, there is a risk of court order being granted against the NCC.</p>
11.	NCC V Auto Basic Traders	NCT/171786/2020/73(2)(b)	<p><b>NATURE OF THE MATTER:</b> The consumer was claiming a refund of the purchase price of the vehicle, in the sum of R199 992, and to be reimbursed for the costs of the extended warranty because the second vehicle she purchased from the supplier broke down two days after the date of delivery and later broke down again few days after having been repaired. The supplier refused to refund the purchase price and repaired the vehicle after cancellation and offer it back to the consumer. The supplier also raised a defence that it was a second-hand vehicle and certain contract terms renders the supplier not liable, even to refund the purchase price.</p> <p><b>APPLICABLE SECTION OF CPA:</b> Section 55 (2) (b) read with section 56 (3) relating to right of the consumer to safe, good quality goods.</p> <p><b>PRINCIPLE:</b> It was held the mere fact that the vehicle broke down after 2 days and few days after it had been repaired renders it not safe for the purpose for which it was bought. It was also held that for the Respondent to rely on exclusion of liability in terms of section 55 (6) the consumer must be</p>



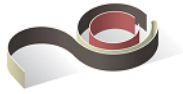
No.	Matter Name	Court & Case reference number	Legal issues and status
			<p>specifically informed of the defect. Respondent's argument that it was latent and that's why the consumer was not specifically informed thereof, makes consumer's version more convincing.</p> <p><b>RULING:</b> The supplier was ordered to refund the purchase price with interest as from the date of cancellation and refund the costs of the warranty.</p> <p><b>GUIDANCE:</b> Where a vehicle is purchased as a second hand and the contract contains clauses that makes the supplier not liable for any defect, such clause is not applicable without the consumer having been specifically informed of existing defect at the time of purchasing the vehicle but elected to buy the vehicle with such defects.</p>
12.	<p>NCC V Kempster Sedgwick t/a CMH Used Cars</p>	NCT/210256/2021/73(2)(b)	<p><b>NATURE OF THE MATTER:</b> In this matter the consumer bought a second-hand Mercedes Benz motor vehicle fitted with tyres that are not recommended by Mercedes Benz (i.e., run flat tyres and no spare wheel was provided because such cars are designed not to have a spare wheel. The NCT agreed with the NCC that the supplier was in breach of section 55 (2) in that the vehicle was not suitable for the purpose for which it was designed for (i.e. to be driven even in dangerous areas because if the tyre is poked by a sharp object whilst being driven in a dangerous area, the driver won't be able to drive such vehicle until he/she reaches a garage/safe area. The supplier was ordered to replace the fitted tyres with run flat tyres.</p> <p><b>APPLICABLE SECTION of the CPA:</b> Interpretation of section 55 (2) of the CPA i.e. right to safe and good quality goods.</p> <p><b>PRINCIPLE:</b> When applying the provisions of section 55 (2) one must look at how the defect will limit the purpose for which the goods are generally intended for. One need not only consider whether the defect goes to the heart of the purpose for which the vehicle is generally used (i.e., means of transport) but also consider the extent of harm which the defect can cause.</p>



No.	Matter Name	Court & Case reference number	Legal issues and status
			<p><b>GUIDANCE:</b> Each case should be assessed on its own merits, where the assessor is not sure, advice should be obtained from legal services.</p>
13.	NCC vs BNA Motors (Pty) Ltd	NCT/269487/2023/73(2)(b)	<p><b>NATURE OF THE MATTER:</b> In this matter, the consumer enquired about a 2012 Volkswagen Polo Comfortline (the vehicle) offered for sale by the respondent. The respondent’s salesperson, Carrey Manuel, advised the consumer that the vehicle sale price was R160 000.00, and it had travelled 145 000 km. Five days after taking delivery of the vehicle, the consumer returned it to the respondent due to an expired licence disc. consumer also discovered that the vehicle had electrical and mechanical issues. The consumer cancelled the sale and requested a refund for the purchase price.</p> <p><b>APPLICABLE SECTION of the CPA:</b> Sections 29 (1) (a) and (c), 41 (1) (a) and (c), and 56 (2) (a) and (b).</p> <p><b>RULING:</b> The respondent was ordered to refund the consumer, the purchase price of R160 000.00 and to pay the Admin fine in the amount of R100 000.00.</p>
14.	NCC vs ACS Pre Owned (Pty) Ltd	NCT/222616/2022/73(2)(b)	<p><b>NATURE OF THE MATTER:</b> The consumer purchased a second-hand 2017 Mercedes Benz E200 (“the vehicle”) for the amount of R589 900.00 (five hundred and eighty-nine thousand and nine hundred rands). The Respondent delivered the vehicle at the complainant’s place of residence close to midnight on the 13th of July 2020 with an odometer reading of 41 400 kilometres. The vehicle manifested symptoms of various defects the next day. The consumer requested the supplier to collect the vehicle to effect repairs. The supplier refused to collect the vehicle from the consumer.</p> <p><b>APPLICABLE SECTION OF CPA:</b> Section 55 (2)(a-d) read with section 56 (2) relating to right of the consumer to safe, good quality goods.</p>



No.	Matter Name	Court & Case reference number	Legal issues and status
			<p><b>PRINCIPLE:</b> It was held the mere fact that the vehicle broke down a day after it was delivered, did not satisfy the requirements of section 55 (2), because the vehicle was not suitable for its intended purpose; was neither of good quality nor in good working order and free of defects; and 'plainly' not safe and usable for a reasonable time.</p> <p><b>RULING:</b> The supplier was ordered to refund the amount of R589 900.00.</p>
15.	NCC vs Headzone Workshop (Pty) Ltd; Headzone (Pty) Ltd; Wicked Cars (Pty) Ltd	NCT/246932/2022/73(2)(b)	<p><b>NATURE OF THE MATTER:</b> The consumer contacted Wicked Cars, who incorrectly introduced himself to the consumer as the new workshop manager of Headzone who agreed to assess and repair the vehicle. Wicked Cars disassembled the vehicle without the consumer's permission and later acknowledged that such disassembling was a mistake. Wicked Cars subsequently completed the reassembly and issued an invoice of R47,000.00. The consumer refused to make the payment. According to Wicked Cars, the consumer had abandoned the vehicle, and they subsequently issued an invoice for storage of R43,800.00. As the consumer refused to pay either invoice or failed to collect the vehicle, Wicked Cars sold the vehicle.</p> <p><b>APPLICABLE SECTION OF CPA:</b> Section 15 (2) (a) and (b) outlines that a service provider must not charge a consumer for the supply of any goods or services contemplated in subsection (1) unless—(a) the supplier or service provider has given the consumer an estimate that satisfies the prescribed requirements, and the consumer has subsequently authorised the work; or (b) the consumer, in writing or by another recorded manner or form, has— (i) declined the offer of an estimate and authorised the work; or (ii) pre-authorised any charges up to a specified maximum, and the amount charged does not exceed that maximum.</p>



No.	Matter Name	Court & Case reference number	Legal issues and status
			<p>Section 21 (1) (e) and 21 (8) outlines that goods or services are unsolicited if any goods have been delivered to, or any services performed for, a consumer by or on behalf of a supplier without the consumer having expressly or implicitly requested the goods or services.</p> <p><b>PRINCIPLE:</b> Wicked Cars did not provide the consumer with an estimate but issued only an invoice after the services were provided and after the consumer had started the complaints process.</p> <p><b>RULING:</b> The supplier was ordered to pay R81,900.00 to the consumer and R200 000.00 administrative fine.</p>
16.	NCC vs VODACOM (Pty) Ltd	CT/260497/2023/73(2)(b)	<p><b>NATURE OF THE MATTER:</b> NCC received and investigated complaints of consumers alleging that Vodacom has denied consumers the right to cancel their fixed-term contracts by imposing a cancellation penalty of 75%, Vodacom required payment of all outstanding fees and the cancellation penalty before contracts were terminated on request. Consumers further alleged that they were coerced to sign the acceptance quotation letter (that was valid for 12 days) and return the letter to Vodacom with proof of payment in order to cancel their contracts.</p> <p><b>APPLICABLE SECTION OF CPA:</b> Vodacom contravened the following sections of the CPA:</p> <ul style="list-style-type: none"> <li>• 14 (3) read with regulation 5</li> <li>• 14 (3) (b) (i) (bb)</li> <li>• 14 (2) (b) &amp; (c)</li> <li>• 29 (b) (i) (ii) and</li> <li>• 40(1) (b) and (d)</li> </ul>



No.	Matter Name	Court & Case reference number	Legal issues and status
			<p><b>GUIDANCE:</b> in determining the cost of cancelling a fixed term contract, each case should be assessed on its own merits and should not be prohibitive to negate the consumer's right to cancel that contract.</p> <p><b>RULING:</b> Vodacom's conduct was declared unconscionable and prohibited and was ordered to pay an administrative fine of R1 million.</p>



# PART B

## OUR STRATEGIC FOCUS



## 4. Situational Analysis

The NCC operates in an ever-changing environment, and it strives to keep abreast of these changes. The NCC is influenced by government policies and regulations. Changes in political leadership and policy direction necessitate that the NCC reviews its approach in the delivery of its mandate, reassess its risk posture and operations.

As government's priorities are around inclusive growth, poverty reduction and improved efficiencies, the NCC had to shift its paradigm in ensuring that the efforts and priority areas contribute towards the political direction. The current PESTEL situational analysis of the NCC is as follows:

### 4.1 Political

The NCC operates under the Consumer Protection Act, which is influenced by government policies and regulations. Changes in political leadership or policy direction can impact its mandate, risk posture and operations.

### 4.2 Economic

Economic factors such as inflation, unemployment, and economic growth influence consumer behaviour and the types of complaints the NCC receives. Economic downturns can lead to increased consumer grievances.

#### 4.2.1 Global and Domestic Economic Outlook

The global economy is projected to grow by 3.1% in 2024 and 3.2% in 2025, suggesting some relief for consumer markets through inflation moderation and stable growth. However, higher interest rates are expected to sustain elevated prices for goods and services. This combination of factors will directly affect consumer spending, household income, and consumer expectations.

In South Africa, economic growth remains sluggish, with real GDP increasing by just 0.6% in 2023. Interruptions in supply chain processes caused by geo-political situation and struggling sectors such as agriculture and domestic trade have further strained consumer markets. Limited availability of goods, rising costs, and reduced consumer confidence are prominent

issues. Employment growth was positive at 4.9%, but with unemployment still high at 32.1%, many consumers are vulnerable.

#### 4.2.2 Impact of High Prices on Consumer Behaviour

Whether at a global or local level, high prices have significant effects on consumers, leading to an increase in complaints, including:

- (i) **Higher Expectations for Quality:** Rising prices result in heightened expectations regarding product quality, durability, and service standards. Any shortfall leads to dissatisfaction, with more consumers scrutinizing the value for money.
- (ii) **Financial Strain and Economic Pressure:** Elevated costs prompt consumers to closely monitor their spending, increasing complaints about unexpected fees, incorrect charges, and affordability issues. Unfair pricing practices are key concerns.
- (iii) **Increased Scrutiny of Services:** Consumers expect superior customer service and prompt delivery. Any service failures, such as delays, poor communication, or insufficient support, are more likely to result in complaints.
- (iv) **Durability and Reliability:** Expensive products are expected to be more durable, and any defects or breakdowns often lead to higher dissatisfaction levels and complaints about warranty or repair issues.

As household budgets shrink, consumers are more likely to voice concerns about inflated prices, particularly in competitive markets where they may seek better deals from alternative providers

- (v) **Inferior Products:** Low-income consumers often purchase lower-cost goods that are of inferior quality and lack durability. The demand for low-cost goods creates opportunities for the proliferation of poor-quality products and counterfeit goods that flood our markets.

Under economic conditions, suppliers are likely to engage in unfair trade practises which include:

- (i) **Suppression of Local Industries:** Unfair trade practices, such as dumping cheap products in developing markets, can undermine local industries. When local businesses cannot compete with the low prices of imports, they may shut down, leading to job losses and deepening poverty within communities.
- (ii) **Monopoly Power and Exploitative Pricing:** In some markets, businesses with significant market power can set prices unfairly high. Unfairly high prices on essential goods and services disproportionately impact low-income consumers. This limits consumer choice and forces low-income individuals to overpay for basic goods, perpetuating economic hardship.
- (iii) **Planned Obsolescence:** Some manufacturers deliberately design products to fail or become outdated within a short period, forcing consumers to buy replacements more frequently. For low-income individuals, this leads to a continuous cycle of spending on necessary items, hindering their ability to save and improve their financial situation.
- (iv) **Exploitative Service Contracts:** Consumers, particularly in low-income brackets, are often bound by unfair service contracts that impose unreasonable terms or penalties, hidden fees, long-term commitments, or exorbitant early termination charges. These can place a heavy financial burden on individuals who are already struggling.
- (v) **Unsafe and Counterfeit Goods:** The sale of counterfeit goods, particularly in low-income areas, can lead consumers to buy unsafe or ineffective products, such as food, and household items. This not only wastes money but can also pose health risks, further exacerbating poverty by increasing medical costs and reducing productivity.
- (vi) **Non-compliance with Consumer Protection Laws:** Companies engaging in unethical practices often violate consumer protection laws, targeting low-income individuals who lack the knowledge or means to seek redress. The absence of enforcement of these laws in certain regions can perpetuate poverty by allowing exploitation to continue unchecked.
- (vii) **False Advertising:** Misleading claims about products or services can lead consumers to spend money on items that do not meet their needs or provide the

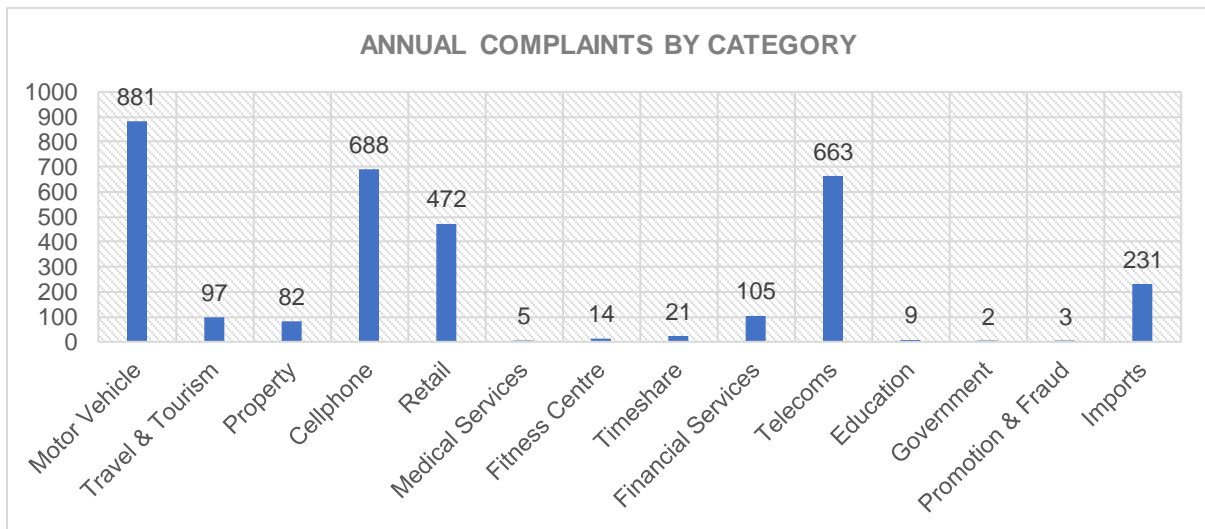
promised benefits. For low-income individuals, this can result in wasted resources that are crucial for their survival or well-being.

The above conditions are also reflected by the increase in complaints and types of complaints received by the NCC. This is borne out by the increase in complaints as demonstrated below:

**FY 2021/2022**

**Total Complaints: 3274**

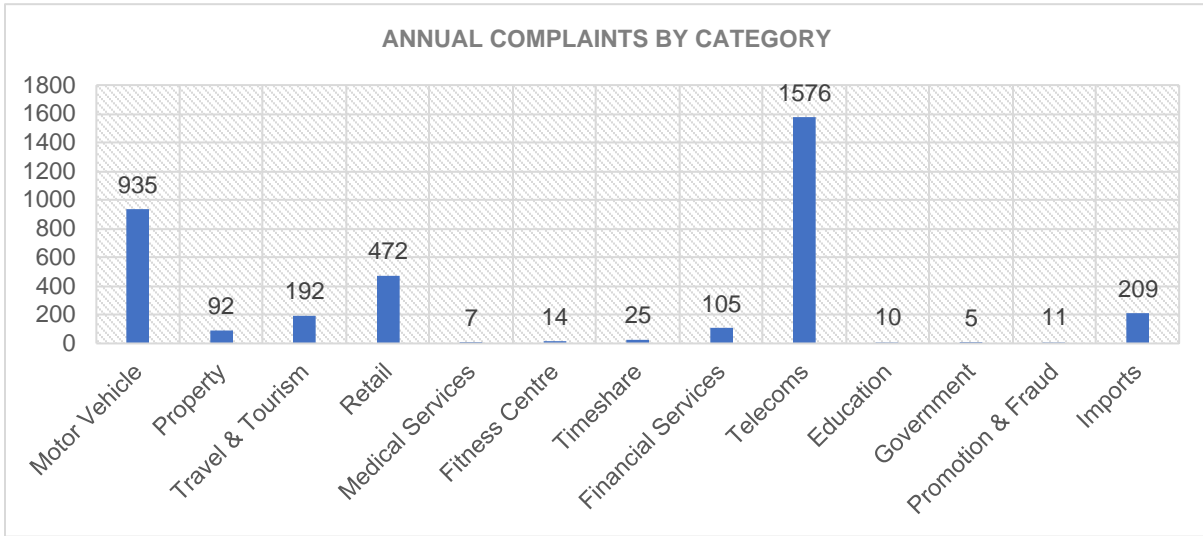
**Chart 1: Complaints by Category (Number)**



**FY 2022-2023**

**Total Complaints: 3653**

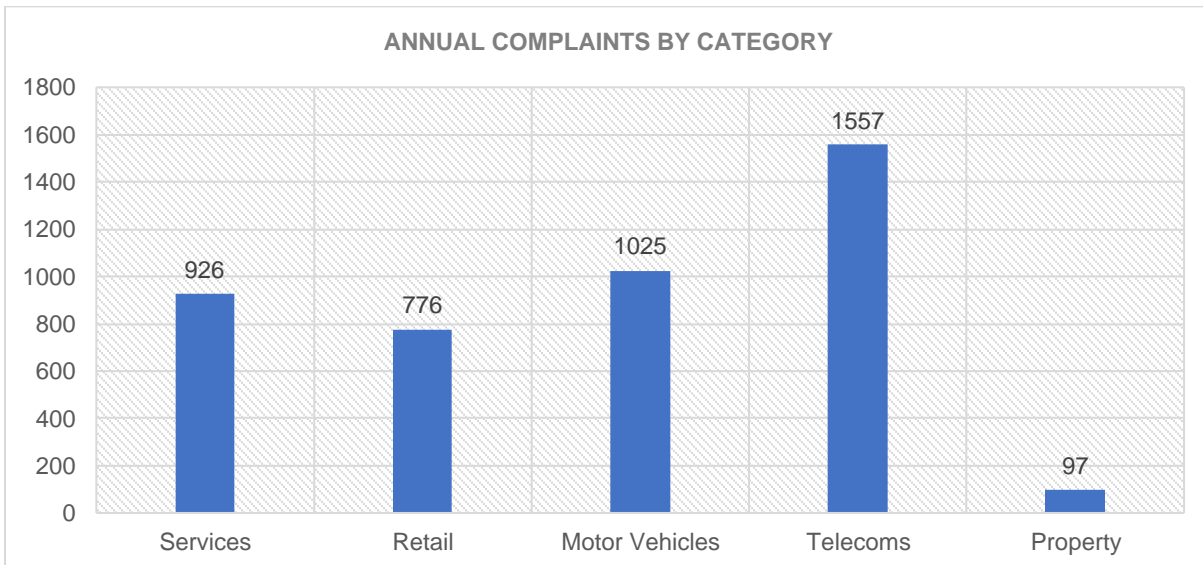
**Chart 2: Complaints by Category (Number)**



**FY 2023/2024**

**Total Complaints: 4381**

**Chart 2: Complaints by Category (Number)**



*The National Consumer Commission launched a E Service portal in 2023 which revised the categories.*

In response to both global and domestic economic pressures, the NCC must play an active role in safeguarding consumer rights and preventing exploitative practices. Under these economic conditions, the NCC’s role in protecting vulnerable consumers becomes even more critical. The commission must ensure that trade practices are fair, and that goods and services remain accessible. The NCC can help mitigate the impact of both global and domestic economic pressures on consumers, ensuring that their rights are protected and that they are

not unduly burdened by unfair pricing or substandard services during times of economic adjustment.

The NCC's budget and resources are dependent on government funding, which can be further affected negatively by the overall economic situation.

#### 4.3 Social

The level of consumer awareness and education about their rights impacts the volume and nature of complaints. The NCC needs to engage in continuous public education campaigns. South Africa's diverse population, with varying levels of income and education, affects the types of consumer issues that arise. The following social factors are relevant:

- (i) **Limited Access to Remedies:** Low-income consumers often face barriers to seeking legal recourse when they are subjected to unfair contract terms or deceptive practices. Lack of awareness, resources, or legal support limits their ability to fight back against such exploitation, leaving them more vulnerable to financial hardship.
- (ii) **Exclusion from Competitive Pricing:** Unfair trade practices in the consumer market often limit access to fair and competitive pricing, particularly in rural or underserved areas. Without competition, monopolistic or oligopolistic companies can charge excessive prices for essential goods and services, disproportionately affecting low-income populations.
- (iii) **Digital Divide:** In the modern economy, access to digital platforms can provide consumers with competitive prices and greater choices. However, many low-income individuals are excluded from these benefits due to lack of internet access or technological literacy. This can force them to rely on traditional, often more expensive, markets.

The high cost of living erodes consumer confidence. As consumers become more cautious about spending, it leads to consumers being vulnerable to expired foods, substandard goods and food, and non-compliant goods.

#### 4.4 Technological

Advances in technology can help the NCC improve its complaint handling processes and outreach efforts. The NCC's revamped website affords consumers with a cost-effective self-service capability to access information from the NCC without having to dial the contact centre line. On the other hand, technology also has significant implications for consumers and the NCC. It brings unique challenges that need to be addressed by the NCC. The ability of new technologies, including Artificial Intelligence, to generate convincing fake content, including deepfakes, fabricated news, and fraudulent digital identities, makes it harder for consumers to discern between real and artificial content,

The NCC analyses and identifies trends, address systemic issues in this space more frequently.

#### 4.5 Environmental

South Africans are becoming aware of and are concerned about the environment and these concerns seem to be influencing their consumer decisions. Most consumers may then incentivise suppliers that purport to offer more sustainable goods and services. However, consumers' rights to make informed decisions may be curtailed by a lack of clear, accurate and easily understandable information about the environmental impact of the products, and misleading claims by suppliers.

To address these, the NCC has to collaborate with other regulators in reshaping policies that will contribute to the circular economy but also within its mandate; take action against suppliers that provide misleading claims on their products offered to consumers

#### 4.6 Legal

The NCC operates within a complex legal framework that includes various consumer protection laws and regulations. Changes in legislation can impact its operations and risk posture. Ensuring businesses comply with consumer protection laws and effectively enforcing these laws is a continuous challenge.



There is an increasing trend of suppliers appealing NCT judgements which requires the allocation of funds by the NCC to fund the litigation. This places a significant strain on the NCC's limited financial resources.

#### 4.7 **Conclusion**

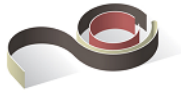
The current economic environment places the majority of consumers under pressure due to high costs of living concerns. The NCC must be responsive to these concerns in its enforcement and case selection process. In addition, technological advancements present both opportunities and challenges. Furthermore, growing concerns around environmental issues, sustainability, prevalence substandard goods and food safety issues add to the complexity of the NCC's work. Despite these challenges, the NCC remains committed to safeguarding consumer rights, though it faces resource constraints, particularly as the volume of complaints continues to rise.



# PART C

## MEASURING OUR PERFORMANCE





**5. Institutional Performance Information**

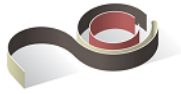
**5.1 Programme 1: Contribution to Government’s industrialization goals.**

5.1.1 **Purpose:** The programme seeks to reduce the availability of non-compliant and substandard goods and foodstuffs and to inculcate a culture of compliance with the CPA.

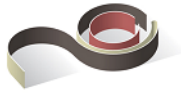
**5.1.2 Outcomes, outputs, output indicators, and targets**

*Table 4 Programme 1: MTEF targets*

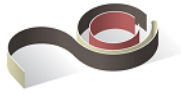
OUTCOME	Output	Output indicator	Audited/Actual Performance			Estimated Performance	MTEF Period		
			2021/22	2022/2	2023/24	2024/25	2025/26	2026/2027	2027/2028
<b>Eradicate practices that undermine local production and industrialization</b>	Market monitoring inspections targeted against the sale of expired goods, product labelling and general non-compliance with the CPA.	Number of market monitoring inspections.	-	3	-	9 market monitoring inspections.	9 market monitoring inspections.	9 of market monitoring inspections.	9 market monitoring inspections.



OUTCOME	Output	Output indicator	Audited/Actual Performance			Estimated Performance	MTEF Period		
			2021/22	2022/23	2023/24	2024/25	2025/26	2026/2027	2027/2028
<b>Reduction in practices that involve the importation of non-compliant CTFL</b>	CTFL matters referred to the NCC by SARS Customs finalized.	Time taken to finalize the investigations.	-	-	-	Finalize CTFL matters within 20 business days.	Finalize CTFL matters within 20 business days.	Finalize CTFL matters within 20 business days.	Finalize CTFL matters within 20 business days.
<b>Eradicate practices that undermine local production and industrialization</b>	Enhanced collaboration with regulatory bodies (national and provincial authorities) to improve regulatory outcomes for consumers.	Number joint initiatives conducted in collaboration with regulatory bodies with concurrent jurisdiction.				1 joint initiative conducted in collaboration with regulatory bodies with concurrent jurisdiction.	1 joint initiative conducted in collaboration with regulatory bodies with concurrent jurisdiction.	1 joint initiative conducted in collaboration with regulatory bodies with concurrent jurisdiction.	1 joint initiative conducted in collaboration with regulatory bodies with concurrent jurisdiction.
<b>Eradicate practices that undermine local production and</b>	Strategic oversight over accredited consumer protection ombud schemes.	Number of engagements with accredited consumer				4 engagements with accredited consumer protection	4 engagements with accredited	4 engagements with accredited	4 engagements with accredited



OUTCOME	Output	Output indicator	Audited/Actual Performance			Estimated Performance	MTEF Period		
			2021/22	2022/23	2023/24	2024/25	2025/26	2026/2027	2027/2028
industrialization		protection ombud schemes.		3		ombud schemes.	consumer protection ombud schemes.	consumer protection ombud schemes.	consumer protection ombud schemes.
	Preferential procurement from SMME's in designated groups.	Percentage of preferential procurement from SMME's in designated groups.				60% of preferential procurement from SMME's in designated groups.	60% of preferential procurement from SMME's in designated groups.	60% of preferential procurement from SMME's in designated groups.	60% of preferential procurement from SMME's in designated groups.
	Conduct business education targeted at companies in industrial parks to ensure compliance with the CPA.	Number of business education initiatives targeted at companies in industrial parks conducted.				4 business education initiatives targeted at companies in industrial parks conducted.	4 business education initiatives targeted at companies in industrial parks conducted.	4 business education initiatives targeted at companies in industrial parks conducted.	4 business education initiatives targeted at companies in industrial parks conducted.

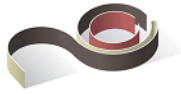


OUTCOME	Output	Output indicator	Audited/Actual Performance			Estimated Performance	MTEF Period		
			2021/22	2022/2	2023/24	2024/25	2025/26	2026/2027	2027/2028
	Internship programmes provided.	Number of interns employed by the NCC and accredited ombud schemes namely, MIOSA and CGSO.		3		20 interns employed by the NCC and accredited ombud schemes namely, MIOSA and CGSO.	20 interns employed by the NCC and accredited ombud schemes namely, MIOSA and CGSO.	20 interns employed by the NCC and accredited ombud schemes namely, MIOSA and CGSO.	20 interns employed by the NCC and accredited ombud schemes namely, MIOSA and CGSO.

5.1.3 Output indicators: Annual and quarterly targets

Table 5: Programme 1: Annual & quarterly targets

No	Output indicator	Annual Target	Q1	Q2	Q3	Q4
1.	Number of market monitoring inspections.	Number of market monitoring inspections.	1 market monitoring inspections.	3 market monitoring inspections.	2 market monitoring inspections.	3 market monitoring inspections.



No	Output indicator	Annual Target	Q1	Q2	Q3	Q4
2.	Time taken to finalize the investigations.	Finalize CTFL matters within 20 business days.	Finalize CTFL matters within 20 business days.	Finalize CTFL matters within 20 business days.	Finalize CTFL matters within 20 business days.	Finalize CTFL matters within 20 business days.
3.	Number joint initiatives conducted in collaboration with regulatory bodies with concurrent jurisdiction.	1 joint initiative conducted in collaboration with regulatory bodies with concurrent jurisdiction.	N/A	N/A	1 joint initiative conducted in collaboration with regulatory bodies with concurrent jurisdiction.	1 joint initiative conducted in collaboration with regulatory bodies with concurrent jurisdiction.
4.	Number of engagements with accredited consumer protection ombud schemes.	4 engagements with accredited consumer protection ombud schemes.	N/A	N/A	2 engagements with accredited consumer protection ombud schemes.	2 engagements with accredited consumer protection ombud schemes.
5.	Percentage of preferential procurement from SMME's in designated groups.	60% of preferential procurement from SMME's in designated groups.	60% of preferential procurement from SMME's in designated groups.	60% of preferential procurement from SMME's in designated groups.	60% of preferential procurement from SMME's in designated groups.	60% of preferential procurement from SMME's in designated groups.



No	Output indicator	Annual Target	Q1	Q2	Q3	Q4
6.	Number of business education initiatives targeted at companies in industrial parks conducted.	4 business education initiatives targeted at companies in industrial parks conducted.	N/A	N/A	2 business education initiatives targeted at companies in industrial parks conducted.	2 business education initiatives targeted at companies in industrial parks conducted.
7.	Number of interns employed by the NCC and accredited ombud schemes namely, MIOSA and CGSO.	20 interns employed by the NCC and accredited ombud schemes namely, MIOSA and CGSO.	N/A	N/A	10 interns employed by the NCC and accredited ombud schemes namely, MIOSA and CGSO.	10 interns employed by the NCC and accredited ombud schemes namely, MIOSA and CGSO.



#### 5.1.4 Explanation of planned performance

Food inspections are designed to ensure compliance with national laws and safety standards. This includes product labelling. The NCC will follow both the proactive and reactive approaches to detect practises that undermine industrialisation. The NCC will intensify the collaboration with ITAC, SARS Customs, the Boarder management and the Provincial Consumer Protection Authorities.

### 5.2 Programme 2: Curbing prohibited conduct.

#### 5.2.1 Purpose:

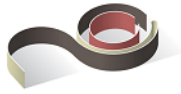
To reduce poverty by ensuring that vulnerable populations are not exploited by deceptive practices, or fraudulent activities. By safeguarding consumers' rights, this outcome aims to promote fair market practices and enhance financial security for low-income households. The goal is to safeguard vulnerable consumers from financial exploitation and contribute to a more equitable economic environment, ultimately improving living standards and reducing the financial burden on low-income households.



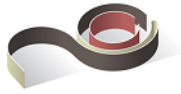
5.2.2 Outcomes, outputs, output indicators, and targets

Table 6: Programme 2 MTEF Targets

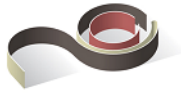
OUTCOME	Output	Output indicator	Audited/Actual Performance			Estimated Performance	MTEF Period		
			2021/22	2022/23	2023/24		2024/25	2025/26	2026/2027
				3				7	
<b>Reduction in the prevalence of Ponzi schemes and fraudulent activities targeting vulnerable populations.</b>	Investigations into Ponzi Schemes and scams Finalized.	Time taken to finalize the investigations.	-	-	-	Finalize investigations into Ponzi Schemes and scams within 40 business days.	Finalize investigations into Ponzi Schemes and scams within 40 business days.	Finalize investigations into Ponzi Schemes and scams within 40 business days.	Finalize investigations into Ponzi Schemes and scams within 40 business days.
<b>Minimized harm to consumers caused by unsafe or defective goods and exploitative</b>	Initiate high impact investigation affecting cost of living for consumers.	Number of High impact investigation affecting cost of living for consumers initiated.	-	-	-	One high impact investigation affecting cost of living for consumers initiated.	One high impact investigation affecting cost of living for consumers initiated.	One high impact investigation affecting cost of living for consumers initiated.	One high impact investigation affecting cost of living for consumers initiated.



OUTCOME	Output	Output indicator	Audited/Actual Performance			Estimated Performance	MTEF Period		
			2021/22	2022/2	2023/24	2024/25	2025/26	2026/202	2027/2028
				3				7	
supplier practices.							consumers initiated.	consumers initiated.	
	Finalize high impact investigation into high priority sectors including steel, food and unsafe goods exploitative supplier practices.	Number of high impact investigation into high priority sectors including steel, food and unsafe goods exploitative supplier practices finalized.	-	-	-	One high impact investigation into high priority sectors including steel, food and unsafe goods exploitative supplier practices finalized.	One high impact investigation into high priority sectors including steel, food and unsafe goods exploitative supplier practices finalized.	One high impact investigation into high priority sectors including steel, food and unsafe goods exploitative supplier practices finalized.	One high impact investigation into high priority sectors including steel, food and unsafe goods exploitative supplier practices finalized.
	Complaints finalized in priority sectors including second-hand cars.	Percentage of complaints finalized in				75% of complaints in priority sectors	75% of complaints in	75% of complaints in	75% of complaints in priority sectors



OUTCOME	Output	Output indicator	Audited/Actual Performance			Estimated Performance	MTEF Period		
			2021/22	2022/2	2023/24		2024/25	2025/26	2026/202
		priority sectors including second-hand cars.		3		including second-hand cars finalized.	priority sectors including hand cars finalized.	priority sectors including and second-hand cars finalized.	including food, steel, and second-hand cars finalized.
	Percentage of cases in favour of the NCC matters brought before the National Consumer Tribunal and/or Courts.	Success rate achieved in cases presented before the National Consumer Tribunal and/or Courts.	-	-	-	80% success rate in cases presented before the National Consumer Tribunal and/or Courts.	80% success rate in cases presented before the National Consumer Tribunal and/or Courts.	80% success rate in cases presented before the National Consumer Tribunal and/or Courts.	80% success rate in cases presented before the National Consumer Tribunal and/or Courts.
	Administer product recalls and issue communication thereon.	Time taken to administer and issue	-	-	-	Administer product recalls and issue	Administer product recalls	Administer product recalls	Administer product recalls and issue



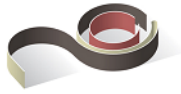
OUTCOME	Output	Output indicator	Audited/Actual Performance			Estimated Performance	MTEF Period		
			2021/22	2022/23	2023/24	2024/25	2025/26	2026/2027	2027/2028
		communication on product recalls.		3		communication thereon within 20 business days of receipt of recall notice from suppliers.	and issue communication thereon within 20 business days of receipt of recall notice from suppliers.	and issue communication thereon within 20 business days of receipt of recall notice from suppliers.	communication thereon within 20 business days of receipt of recall notice from suppliers.
	Finalize energy-related complaints.	Percentage of energy-related complaints finalized within a specified period.				Finalize 80% of energy-related complaints within 6 months.	Finalize 80% of energy-related complaints within 6 months.	Finalize 80% of energy-related complaints within 6 months.	Finalize 80% of energy-related complaints within 6 months.



**5.2.3 Output indicators: Annual and quarterly targets**

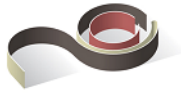
*Table 7: Programme 2: Annual & quarterly targets*

No	Output indicator	Annual Target	Q1	Q2	Q3	Q4
8.	Time taken to finalize Ponzi scheme and scams investigations.	Finalize investigations into Ponzi Schemes and scams within 40 days.	N/A	N/A	Finalize investigations into Ponzi Schemes and scams within 40 business days.	Finalize investigations into Ponzi Schemes and scams within 40 business days.
9.	Number of high impact investigation into high priority sectors including steel, food and unsafe goods exploitative supplier practices initiated.	One high impact investigation into high priority sectors including steel, food and unsafe goods exploitative supplier practices initiated.	N/A	N/A	N/A	One high impact investigation into high priority sectors including steel, food and unsafe goods exploitative supplier practices initiated.
10.	Number of high impact investigation into high priority sectors including steel, food and unsafe goods exploitative supplier practices finalized.	One high impact investigation into high priority sectors including steel, food and unsafe goods exploitative supplier practices finalized.	N/A	N/A	N/A	One high impact investigation into high priority sectors including steel, food and unsafe goods exploitative supplier practices finalized.



No	Output indicator	Annual Target	Q1	Q2	Q3	Q4
11.	Percentage of complaints finalized in priority sectors including second-hand cars.	75% of complaints in priority sectors including second-hand cars finalized.	75% of complaints in priority sectors including second-hand cars finalized.	75% of complaints in priority sectors including second-hand cars finalized.	75% of complaints in priority sectors including second-hand cars finalized.	75% of complaints in priority sectors including second-hand cars finalized.
12.	Percentage of cases in favour of the NCC matters brought before the National Consumer Tribunal and/or Courts.	80% success rate in cases presented before the National Consumer Tribunal and Courts.	80% success rate in cases presented before the National Consumer Tribunal and/or Courts.	80% success rate in cases presented before the National Consumer Tribunal and/or Courts.	80% success rate in cases presented before the National Consumer Tribunal and/or Courts.	80% success rate in cases presented before the National Consumer Tribunal and/or Courts.
13.	Time taken to administer and issue communication on product recalls.	Administer product recalls and issue communication thereon within 20 business days of receipt of recall notice from suppliers.	Administer product recalls and issue communication thereon within 20 business days of receipt of recall notice from suppliers.	Administer product recalls and issue communication thereon within 20 business days of receipt of recall notice from suppliers.	Administer product recalls and issue communication thereon within 20 business days of receipt of recall notice from suppliers.	Administer product recalls and issue communication thereon within 20 business days of receipt of recall notice from suppliers.
14.	Percentage of energy-related complaints finalized within a specified period.	Finalize 80% of energy-related complaints within 6 months.	N/A	N/A	Finalize 80% of energy-related complaints within 6 months.	Finalize 80% of energy-related complaints within 6 months.

5.2.4 Explanation of planned performance



Data from consumer complaints, market research, and financial reports will be used to identify at-risk groups, geographic regions where financial exploitation is more common. Ongoing monitoring of industries known for exploiting vulnerable consumers will be conducted to detect and prevent deceptive practices. Collaboration with Financial Sector Conduct Authority, the National Prosecuting Authority and the South African Police Services will be enhanced.

**5.3 Programme 3: Education and Awareness.**

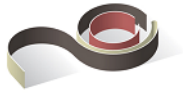
5.3.1 **Purpose:** To Educate consumers to demand quality goods and services and enforce their rights and demand quality goods and business is educated their obligations in terms of the CPA, thus focussing on preventing harm to consumers and change business practises that are harmful to consumers.

Table 8 Programme 3: MTEF targets

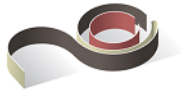
OUTCOME	Output	Output indicator	Audited/Actual Performance			Estimated Performance	MTEF Period		
			2021/22	2022/23	2023/24		2024/25	2025/26	2026/2027
Education and Awareness	Enhanced public knowledge and understanding of the CPA.	Number of consumer education and awareness initiatives targeted at consumers.	Achieved 27 consumer and business awareness initiatives	Achieved 43 consumer Awareness initiatives conducted.	Achieved 98 consumer Awareness initiatives conducted.	16 consumer education and awareness initiatives targeted at	16 consumer education and awareness initiatives targeted at	16 consumer education and awareness initiatives targeted at	16 consumer education and awareness initiatives targeted at



OUTCOME	Output	Output indicator	Audited/Actual Performance			Estimated Performance	MTEF Period		
			2021/22	2022/23	2023/24		2024/25	2025/26	2026/2027
			conducted			consumer conducted.	consumer conducted.	consumer conducted.	consumer conducted.
	Enhanced public knowledge and understanding of the CPA.	Number of business education and awareness initiatives targeted at SMMEs.	-	-	<b>Achieved</b> 22 business education initiatives Conducte.	8 business education and awareness initiatives targeted at SMMEs conducted.	8 business education and awareness initiatives targeted at SMMEs conducted.	8 business education and awareness initiatives targeted at SMMEs conducted.	8 business education and awareness initiatives targeted at SMMEs conducted.
	Enhanced public knowledge and understanding of the CPA.	Number of Education and Awareness Newsletters published.	-	-	-	Publication of one Newsletter on NCC interventions	Publication of 2 Newsletters on NCC intervention	Publication of 2 Newsletters on NCC intervention	Publication of 2 Newsletters on NCC intervention



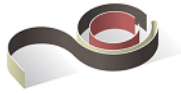
OUTCOME	Output	Output indicator	Audited/Actual Performance			Estimated Performance	MTEF Period		
			2021/22	2022/23	2023/24	2024/25	2025/26	2026/2027	2027/2028
						and outreach.	s and outreach.	s and outreach.	s and outreach.



5.3.2 Output indicators: Annual and quarterly targets

Table 9: Programme 3: Annual & quarterly targets

No	Output indicator	Annual Target	Q1	Q2	Q3	Q4
15.	Number of business education and awareness initiatives targeted at consumers.	16 consumer education and awareness initiatives targeted at consumer conducted.	4 consumer education and awareness initiatives targeted at consumer conducted.	4 Consumer education and awareness initiatives targeted at consumer conducted.	4 consumer education and awareness initiatives targeted at consumer conducted.	4 consumer education and awareness initiatives targeted at consumer conducted.
16.	Number of business education and awareness initiatives targeted at SMMEs	8 business education and awareness initiatives targeted at SMMEs conducted.	2 business education and awareness initiatives targeted at SMMEs conducted.	2 business education and awareness initiatives targeted at SMMEs conducted.	2 business education and awareness initiatives targeted at SMMEs conducted.	2 business education and awareness initiatives targeted at SMMEs conducted.
17.	Number of Education and Awareness Newsletters published.	Publication of Newsletter on NCC interventions and outreach.	N/A	N/A	N/A	Publication of one Newsletter on NCC interventions and outreach.



**5.3.3 Explanation of planned performance**

The Education and Awareness Division is responsible for this function. The consumer and business education and awareness initiatives will be conducted through various platform, including but not limited to workshops (in person and virtual) and webinars.

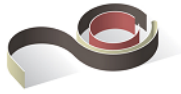
**5.4 Programme 4: Improving service delivery efficiencies.**

**5.4.1 Purpose:** To enhance the overall effectiveness and responsiveness of services to deliver faster, higher-quality services to customers in a timely, reliable, and cost-effective manner. Also to keep its online systems fit for purpose by maintaining a high availability of systems to enable consumers to file complaints or access information quickly. This reduces red tape by simplifying the filling and handling of consumer complaints thus reducing the time it takes to file a complaint and get feedback from the NCC.

**5.4.2 Outcomes, outputs, output indicators, and targets**

*Table 10 Programme 4: MTEF targets*

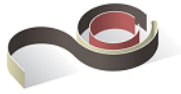
OUTCOME	Output	Output indicator	Audited/Actual Performance			Estimated Performance	MTEF Period		
			2021/22	2022/23	2023/24	2024/25	2025/26	2026/2027	2027/2028
<b>Reduction in the prevalence of Ponzi schemes and fraudulent activities</b>	Answer calls made to the contact center.	Percentage of answered inbound calls to the contact centre.	-	-	-	Answer 90% of answered calls made to the contact center.	Answer 90% of answered calls made to the	Answer 90% of answered calls made to the	Answer 90% of answered calls made to the contact centre.



OUTCOME	Output	Output indicator	Audited/Actual Performance			Estimated Performance	MTEF Period		
			2021/22	2022/23	2023/24	2024/25	2025/26	2026/2027	2027/2028
targeting vulnerable populations.							contact centre.	contact centre.	
Minimized harm to consumers caused by unsafe or defective goods and exploitative supplier practices.	Available complaints handling e-Service System and Website	Percentage of availability of complaints handling e-Service System and Website	-	-	-	95% availability of complaints handling e-Service System and Website	95% availability of complaints handling e-Service System and Website	95% availability of complaints handling e-Service System and Website	95% availability of complaints handling e-Service System and Website
	Pay service providers within 20 business days.	Number of days taken to pay suppliers.	-	-	-	Pay service providers within 20 business days.	Pay service providers within 20 business days.	Pay service providers within 20 business days.	Pay service providers within 20 business days.

**5.4.3 Output indicators: Annual and quarterly targets**

Table 11: Programme 4: Annual & quarterly targets



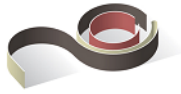
No	Output indicator	Annual Target	Q1	Q2	Q3	Q4
18.	Percentage of answered calls made to the contact centre.	Answer 90% of answered calls made to the contact centre.	Answer 90% of answered calls made to the contact centre.	Answer 90% of answered calls made to the contact centre.	Answer 90% of answered calls made to the contact centre.	Answer 90% of answered calls made to the contact centre.
19.	Percentage of availability of complaints handling e-Service System and Website	95% availability of complaints handling e-Service System and Website	95% availability of complaints handling e-Service System and Website	95% availability of complaints handling e-Service System and Website	95% availability of complaints handling e-Service System and Website	95% availability of complaints handling e-Service System and Website
20.	Number of days taken to pay suppliers.	Pay service providers within 20 business days.	N/A	N/A	Pay service providers within 20 business days.	Pay service providers within 20 business days.

**5.4.4 Explanation of planned performance**

The planned performance is aimed at providing support to the NCC to ensure that the appropriate technology architecture, electronic communications channels and other associated information resources and services are available to ensure that the NCC can operate efficiently and securely.

**5.4.5 Programme resource considerations**

**5.4.6 Revenue Analysis**



The projected revenue in the MTEF is shown in the below table:

Table 12: Revenue

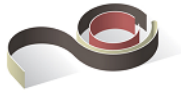
Revenue	2024/2025 Annual Budget	2025/2026 Annual Budget	2026/2027 Annual Budget	2027/2028 Annual Budget
<b>Grant</b>	69 120	71 360	73 790	77 128
<b>Interest</b>	4 950	4 8566	5 080	5 309
<b>Total</b>	<b>74 070</b>	<b>76 216</b>	<b>78 870</b>	<b>82 437</b>

Looking at the budget projections from 2024/2025 to 2027/2028, we can see the revenue increases steadily each year. By 2027/2028, the total revenue rises to R82.437 million, an increase driven by both grants (R77.128 million) and interest income (R 5.309 million). However, the reliance on grants remains a significant and primary part of the budget, emphasizing the need for careful fiscal management as the budget is vulnerable to shocks should the grant be reduced. This trajectory highlights the importance of balancing the present needs with long-term fiscal health.

#### 5.4.7 Expenditure Analysis

Table 13: expenditure Analysis

Expenditure per strategic objective	2024/2025 Annual Budget	2025/2026 Annual Budget	2026/2027 Annual Budget	2027/2028 Annual Budget
Administration	45 416	46 099	47 963	50 214
<b>Programme 1:</b> Contribution to Government's industrialization goals Grant	12 931	13 842	14 265	14 910
<b>Programme 2:</b> Curbing prohibited conduct.	5 230	5 543	5 568	5 820



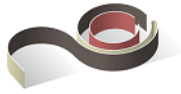
Expenditure per strategic objective	2024/2025 Annual Budget	2025/2026 Annual Budget	2026/2027 Annual Budget	2027/2028 Annual Budget
<b>Programme 3:</b> Education and Awareness.	5 294	5 319	5 348	5 507
<b>Programme 4:</b> Improving service delivery efficiencies	5 199	5 413	5 726	5 986
<b>Total</b>	<b>74 070</b>	<b>76 215</b>	<b>78 871</b>	<b>82 437</b>

The expenditure figures for each of the years from 2024 to 2028 are exactly matched. There is no projected deficit or surplus, which indicates that the NCC maintains fiscal discipline. However, the tight budgeting limits the NCC’s flexibility to respond to unexpected economic shocks or emergencies. Over the four years, revenue is projected to increase at an average rate of 3.63% (interest). While this reflects some optimism for increased revenue collection, it may not fully account for inflation or other needs of a growing population. If the cost of delivering services rises faster than revenue, this could strain the NCC’s to meet its mandates.

Table 14: Economic Classification

Economic Classification	2024/2025 Annual Budget	2025/2026 Annual Budget	2026/2027 Annual Budget	2027/2028 Annual Budget
Current expenses	74 070	76 216	78 870	82 437
Compensation of employees	50 890	50 890	50 890	53 190
Goods and services	23 180	25 326	27 980	29 246
Depreciation	–	–	–	–
<b>Total</b>	<b>74 070</b>	<b>76 216</b>	<b>78 870</b>	<b>82 437</b>

#### 5.4.8 Materiality Framework



Due to the nature of the NCC’s business, the best indicator regarding business activity is expenditure. There is lower risk on revenue as 93% of the revenue is made up of government grants. As such, a 0,50% of expenditure was selected for this framework. Below are the implications:

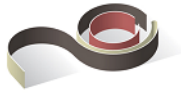
Materiality	%	2024/2025 Annual Budget	2025/2026 Annual Budget	2026/2027 Annual Budget	2027/2028 Annual Budget
Expenditure		74,070	76, 216	78, 870	82, 437
Materiality	0,50%	3,703,50	3, 810,80	3, 943,50	4,1218,50

**6. Key Risks and mitigation**

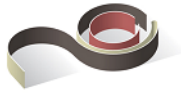
**6.1 Risks related to Outcomes.**

*Table 15: Key Risks and mitigation*

Risk No	Outcomes	Key Risks	Risk Mitigation
STR 1 & 2	The programmes seek to:  1. reduce the availability of non-compliant and substandard goods and foodstuffs and expired foods and to inculcate	Improper conduct by employee and suppliers to unduly Influence processes to reach Improper decisions.	1. Fraud awareness session.2. 2. Declaration of interest for all involved in the value chain. 3. Review SOP's on Investigation and Prosecution.



Risk No	Outcomes	Key Risks	Risk Mitigation
	<p>a culture of compliance with the CPA.</p> <p>2. Reduce Poverty and tackle the high- cost of living.</p>		
STR 3	<p>To Educate consumers to demand quality goods and services and enforce their rights and demand quality goods and business is educated their obligations in terms of the CPA, thus focussing on preventing harm to consumers and change business practises that are harmful to consumers.</p>	<p>Inadequate National footprint to educate consumers and business.</p>	<ol style="list-style-type: none"> <li>1. Use of diverse media platforms to convey messages.</li> <li>2. Customised presentation to relevant target audience.</li> <li>3. Collaboration with internal and external stakeholders.</li> <li>3. Partnering with institutions of higher learning.</li> </ol>
STR 4	<p>Ensure that the appropriate technology architecture, electronic communications channels and other associated information resources and services are available.</p>	<p>Cyber-attacks.</p>	<ol style="list-style-type: none"> <li>4. Regular monitoring and review of computer and cybersecurity control.</li> <li>5. Regular computer and cybersecurity awareness training.</li> <li>6. Appointment of Managed security services (MSS) provider.</li> <li>7. Perform regular cybersecurity evaluation.</li> <li>8. Develop and implement third party management policy.</li> <li>9. Develop incident response plan.</li> <li>10. Generate and present system generated evidence for business systems access reviews.</li> <li>11. Regular review of systems and infrastructure licenses.</li> <li>12. Establishment of ICT Change Control Board (CAB).</li> </ol>



Risk No	Outcomes	Key Risks	Risk Mitigation
			13. Develop data privacy policy. 14. Review ICT security and related policies. 15. Business systems access reviews with manual generated evidence (Finance and HR).

## 6.2 Fraud prevention

The Public Finance Management Act, No. 1 of 1999 and Treasury Regulations, 2005 requires the Accounting Authority (Commissioner) to adopt a risk management strategy that must include a formal Fraud Prevention Plan and to submit the Fraud Prevention Plan together with the Annual Performance Plan to the Executive Authority annually.

## 6.3 Components of the Fraud Prevention Plan

The components of the Plan are depicted in the Diagram below:



### 6.4 Fraud Risks

Table 16: Fraud Risks

Risk No.	Output Indicator	Fraud Risk Name	Risk Mitigation
HRM 3	Payment of remuneration to valid and existing officials.	Payment of ghost employees.	Monitoring appointments and termination.



Risk No.	Output Indicator	Fraud Risk Name	Risk Mitigation
CS 6	Effective, Efficient Internal Control System to detect and prevent abuse of SCM processes	Collusion by employees and services providers on procurement processes	<ol style="list-style-type: none"><li>1. Implement consequence management where collusion is detected.</li><li>2. Recommend to NT Blacklisting service providers from CSD.</li><li>3. Fraud awareness session.</li><li>4. Annual declaration of interest by staff.</li></ol>

Public Entities: N/A



# PART D

## TECHNICAL INDICATOR DESCRIPTIONS (TIDS)



## 7. Technical Indicator Descriptions (TIDs)

### 7.1 TID1: Market Monitoring Inspections

Table 17: TID1: Market Monitoring Inspections

Indicator title	Market Monitoring Inspections
<b>Definition</b>	Refers to on-site visits by the NCC inspectors to the premises of the suppliers to confirm that the supplier complies with the CPA.
<b>Source of data or information</b>	Market monitoring inspections will be evidenced by a completed inspection report, which includes the date, time, location, and results.
<b>Method of calculation/ assessment</b>	A simple count
<b>Means of verification</b>	A completed inspection report, which includes the date, time, location, and results.
<b>Assumptions</b>	The target will be met.
<b>Disaggregation of beneficiaries</b>	N/A
<b>Spatial transformation (where applicable)</b>	N/A
<b>Calculation type</b>	Cumulative (year-end)
<b>Reporting cycle</b>	Quarterly
<b>Desired performance</b>	Target achieved or exceeded.
<b>Indicator Responsibility</b>	Divisional Head: Complaints Handling & Investigations

### 7.2 TID2: Finalize CTFL Investigation

Table 18 TID2: Finalize CTFL Investigation

Indicator title	Finalize CTFL Matters
<b>Definition</b>	<p>The turnaround times are determined by calculating the number of business days following the day of the start of the investigation.</p> <ul style="list-style-type: none"> <li>An investigation into CTFL starts when the Commissioner or Delegated Official authorises the investigation.</li> <li>A CTFL investigation is finalised when a release letter or a PAJA letter is issued.</li> </ul> <p>The annual target is calculated as the average of all quarters. The target is met if the outcome is less than or equal to the 20 business days.</p>



Indicator title	Finalize CTFL Matters
Source of data or information	Investigation approval memo investigation report and actual release or PAJA letter.
Method of calculation/ assessment	A simple count.
Means of verification	Investigation approval memo, Investigation report, and Actual release or PAJA letter.
Assumptions	The target will be met.
Disaggregation of beneficiaries	N/A
Spatial transformation (where applicable)	N/A
Calculation type	Cumulative (year-end)
Reporting cycle	Quarterly
Desired performance	Target achieved or exceeded.
Indicator Responsibility	Divisional Head: Complaints Handling & Investigations

7.3 TID3: Joint Initiatives Conducted

Table 19 TID3: Joint Initiatives Conducted

Indicator title	Joint Initiatives Conducted
Definition	The indicator refers to the NCC undertaking collaborative work with regulatory bodies on the objectives of the NCC.
Source of data or information	The indicator will be reported to EXCO on a quarterly basis. Achievement of this target is demonstrated by the report submitted to EXCO.
Method of calculation/ assessment	A simple count.
Means of verification	Minutes of Exco.
Assumptions	Target will be achieved
Disaggregation of beneficiaries	N/A
Spatial transformation (where applicable)	N/A
Calculation type	Cumulative (year-end)
Reporting cycle	Annually
Desired performance	Target will be achieved or exceeded.
Indicator Responsibility	Divisional Head: Education & Advocacy

#### 7.4 TID4: Engagements with Accredited Ombud Schemes

Table 20 TID4: Engagements with Accredited Ombud Schemes

Indicator title	Engagements with Accredited Ombud Schemes
<b>Definition</b>	The indicator refers to the oversight exercised by the NCC over Accredited Consumer Ombud schemes.
<b>Source of data or information</b>	The indicator will be reported to EXCO on a quarterly basis. Achievement of this target is demonstrated by the report submitted to EXCO.
<b>Method of calculation/ assessment</b>	A simple count.
<b>Means of verification</b>	Minutes of Exco.
<b>Assumptions</b>	Target will be achieved.
<b>Disaggregation of beneficiaries</b>	N/A
<b>Spatial transformation (where applicable)</b>	N/A
<b>Calculation type</b>	Cumulative (year-end)
<b>Reporting cycle</b>	Annually
<b>Desired performance</b>	Target will be achieved or exceeded.
<b>Indicator Responsibility</b>	Divisional Head: Education & Advocacy

#### 7.5 TID5: Preferential Procurement

Table 21: Preferential procurement

Indicator title	Preferential Procurement
<b>Definition</b>	The indicator refers to the procurement of goods and services by the NCC from SMME's in designated groups i.e. previously disadvantaged persons, women, youth and persons with disabilities.
<b>Source of data or information</b>	Supply Chain Reports
<b>Method of calculation/ assessment</b>	Proportion of the SMMEs in designated group relative to the total number of SMMEs the NCC procured from.
<b>Means of verification</b>	Supply Chain Reports.
<b>Assumptions</b>	Target will be achieved.
<b>Disaggregation of beneficiaries</b>	N/A



Indicator title	Preferential Procurement
Spatial transformation (where applicable)	N/A
Calculation type	Cumulative (year-end)
Reporting cycle	Quarterly and effective from Q3 of 2024/2025
Desired performance	Target will be achieved or exceeded.
Indicator Responsibility	Divisional Head: Corporate services

7.6 TID6: Business Education at Industrial Parks

Table 22: Business Education at Industrial parks

Indicator title	Business Education at Industrial parks
Definition	Interactive sessions conducted to guide companies in industrial parks to ensure compliance with the CPA. These programmes will be conducted through workshops, seminars and webinars.
Source of data or information	Attendance registers, confirmation by the host, meeting screenshots, minutes, notes, and transcripts.
Method of calculation/ assessment	A simple count of business education initiatives conducted.
Means of verification	Attendance registers, confirmation by the host, meeting screenshots, minutes, notes, and transcripts.
Assumptions	Target will be achieved.
Disaggregation of beneficiaries	N/A
Spatial transformation (where applicable)	N/A
Calculation type	Cumulative (year-end)
Reporting cycle	Quarterly and effective from Q3 of 2024/2025
Desired performance	Target will be achieved or exceeded
Indicator Responsibility	Divisional Head: Education & Advocacy



7.7 TID7: Internship Programmes Provided.

Table 23 Internship Programmes Provided.

Indicator title	Internship programmes provided.
<b>Definition</b>	Internship is a short-term work experience offered by the NCC, MIOSA and CGSO to recent graduates, to provide them with practical experience and develop professional skills.
<b>Source of data or information</b>	Internship reports.
<b>Method of calculation/assessment</b>	A simple count.
<b>Means of verification</b>	Internship reports
<b>Assumptions</b>	The target will be met.
<b>Disaggregation of beneficiaries</b>	N/A
<b>Spatial transformation (where applicable)</b>	N/A
<b>Calculation type</b>	Cumulative (year-end)
<b>Reporting cycle</b>	Quarterly and effective from Q3 of 2024/2025.
<b>Desired performance</b>	Target achieved or exceeded.
<b>Indicator Responsibility</b>	Divisional Head: Corporate services

7.8 TID8: Finalize Ponzi scheme Investigations

Table 24 TID8: Finalize Ponzi scheme Investigations

Indicator title	Finalize Ponzi Scheme Investigations
<b>Definition</b>	<p>The turnaround times are determined by calculating the number of business days following the day of the start of the investigation.</p> <ul style="list-style-type: none"> <li>• A Ponzi Scheme investigation starts when the Company Secretary approves the investigation.</li> <li>• A Ponzi Scheme investigation is finalised when an investigation report is approved as complete by the steering committee.</li> </ul> <p>The annual target is calculated as the average of all quarters. The target is met if the outcome is less than or equal to the 40 business days.</p>
<b>Source of data or information</b>	Investigation approval memo and Investigation report.
<b>Method of calculation/assessment</b>	A simple count
<b>Means of verification</b>	Investigation approval memo, Investigation report.



<b>Assumptions</b>	The target will be met.
<b>Disaggregation of beneficiaries</b>	N/A
<b>Spatial transformation (where applicable)</b>	N/A
<b>Calculation type</b>	Cumulative (year-end)
<b>Reporting cycle</b>	Quarterly and effective from Q3 of 2024/2025
<b>Desired performance</b>	Target achieved or exceeded
<b>Indicator Responsibility</b>	Company Secretary

7.9 TID9: High Impact Investigation Initiated

Table 25 TID9: High Impact Investigation Initiated

<b>Indicator title</b>	<b>High Impact Investigation Initiated</b>
<b>Definition</b>	High impact investigation refers to an inquiry into practises that have significant consequences or potential consequences for consumers. Here are some key characteristics: <ul style="list-style-type: none"> <li>• <b>Severity:</b> The practice involves serious harm or significant financial loss.</li> <li>• <b>Public Interest:</b> The case attracts considerable public or media attention.</li> <li>• <b>Complexity:</b> The investigation requires extensive resources, specialized skills, or coordination across multiple agencies.</li> <li>• <b>Risk:</b> There is a high risk of recurrence or escalation if not addressed promptly and effectively.</li> </ul>
<b>Source of data or information</b>	The NCC initiates investigation based on its own research and intelligence or based on complaints received. The initiation of a case is evidenced by minutes of the Steering Committee to initiate.
<b>Method of calculation/ assessment</b>	A simple count
<b>Means of verification</b>	Steering Committee minutes.
<b>Assumptions</b>	The target will be met.
<b>Disaggregation of beneficiaries</b>	N/A
<b>Spatial transformation (where applicable)</b>	N/A
<b>Calculation type</b>	Cumulative (year-end)



<b>Indicator title</b>	<b>High Impact Investigation Initiated</b>
<b>Reporting cycle</b>	Quarterly
<b>Desired performance</b>	Target achieved or exceeded
<b>Indicator Responsibility</b>	Divisional Head: Complaints Handling & Investigations

7.10 TID10: High Impact Investigation Finalized

Table 26 TID10: High Impact Investigation Finalized

<b>Indicator title</b>	<b>High Impact Investigation Finalized</b>
<b>Definition</b>	High impact investigation refers to an inquiry into practises that have significant consequences or potential consequences for consumers. Here are some key characteristics: <ul style="list-style-type: none"> <li>• <b>Severity:</b> The practice involves serious harm or significant financial loss.</li> <li>• <b>Public Interest:</b> The case attracts considerable public or media attention.</li> <li>• <b>Complexity:</b> The investigation requires extensive resources, specialized skills, or coordination across multiple agencies.</li> <li>• <b>Risk:</b> There is a high risk of recurrence or escalation if not addressed promptly and effectively.</li> </ul>
<b>Source of data or information</b>	The finalization of a case is evidenced by minutes of the steering committee to the effect that case is declared finalized.
<b>Method of calculation/assessment</b>	A simple count
<b>Means of verification</b>	Steering Committee minutes.
<b>Assumptions</b>	The target will be met.
<b>Disaggregation of beneficiaries</b>	N/A
<b>Spatial transformation (where applicable)</b>	N/A
<b>Calculation type</b>	Cumulative (year-end)
<b>Reporting cycle</b>	Quarterly
<b>Desired performance</b>	Target achieved or exceeded.
<b>Indicator Responsibility</b>	Divisional Head: Complaints Handling & Investigations

## 7.11 TID11: Finalize Complaints in Priority Sectors

Table 27 TID11: Finalize Complaints in Priority Sectors

Indicator title	Finalize Complaints in Priority Sectors
<b>Definition</b>	Priority Sectors include secondhand automotive industry, unsafe and low-quality imported goods and labelling of goods (excluding CTFL at ports of entry, food and steel).
<b>Source of data or information</b>	The target is measured based on complaints lodged from the 1 <sup>st</sup> of April 2024. The finalization of a case through a referral to the NCT, compliance notice, undertaking by supplier or non-referral is evidenced by minutes of the steering committee to the effect that case is declared finalized.
<b>Method of calculation/ assessment</b>	A simple count. The target is measured based on complaints lodged from the 1 <sup>st</sup> of April 2024.
<b>Means of verification</b>	Steering Committee minutes.
<b>Assumptions</b>	The target will be met.
<b>Disaggregation of beneficiaries</b>	N/A
<b>Spatial transformation (where applicable)</b>	N/A
<b>Calculation type</b>	Cumulative (year-end)
<b>Reporting cycle</b>	Quarterly
<b>Desired performance</b>	Target achieved or exceeded.
<b>Indicator Responsibility</b>	Divisional Head: Complaints Handling & Investigations

## 7.12 TID12 Percentage of Success at the NCT and Courts

Table 28 TID12: Success rate at the NCT and Courts

Indicator title	Success Rate at the NCT and/or Courts
<b>Definition</b>	<ul style="list-style-type: none"> <li>Success means: the relief sought by the NCC is upheld in full or partially or a variation thereof by the NCT and/or Courts.</li> <li>The indicator is not met where the NCC's case is dismissed in its entirety by the NCT and/or Courts.</li> <li>The indicator excludes cases which are under appeal or review at the courts at the time of reporting but includes cases completed through consent orders before and after or referral.</li> </ul>



Indicator title	Success Rate at the NCT and/or Courts
Source of data or information	The indicator is determined from the orders of the NCT and/or courts.
Method of calculation/ assessment	A simple percentage count
Means of verification	Orders of the NCT and/or courts.
Assumptions	Target will be achieved.
Disaggregation of beneficiaries	N/A
Spatial transformation (where applicable)	N/A
Calculation type	Cumulative (year-end)
Reporting cycle	Annually
Desired performance	Target will be achieved or exceeded.
Indicator Responsibility	Divisional Head: Legal Services.

7.13 TID13: Administer Product recalls

Table 29 TID13: Administer Product recalls

Indicator title	Administer Product recalls
Definition	Product recall means a recall of unsafe, hazardous, defective, or failed product.
Source of data or information	Product recall register and Quarterly report tabled in the steering committee.
Method of calculation/ assessment	Count of product recalls administered.
Means of verification	Product recall register and the quarterly report tabled at the steering committee.
Assumptions	None
Disaggregation of beneficiaries	N/A
Spatial transformation (where applicable)	N/A
Calculation type	Cumulative (year-end)
Reporting cycle	Quarterly
Desired performance	Achieve or exceed the target.
Indicator Responsibility	Divisional Head: Complaints Handling & Investigations



7.14 TID14: finalize Energy-Related Complaints.

Table 30 TID14: finalize energy-related complaints.

Indicator title	Finalize Energy-Related Complaints
<b>Definition</b>	Energy-related complaints mean complaints about solar panels, batteries, inverters and related products.
<b>Source of data or information</b>	The target is measured based on complaints lodged from the 1 <sup>st</sup> of October 2024. A complaint is finalized through a referral to the NCT, compliance notice, undertaking by supplier or non-referral. This is evidenced by minutes of the steering committee to the effect that complaint is declared finalized.
<b>Method of calculation/ assessment</b>	A simple percentage count. The target is measured based on complaints lodged from the 1 <sup>st</sup> of October 2024. .
<b>Means of verification</b>	Steering Committee minutes.
<b>Assumptions</b>	The target will be met.
<b>Disaggregation of beneficiaries</b>	N/A
<b>Spatial transformation (where applicable)</b>	N/A
<b>Calculation type</b>	Cumulative (year-end)
<b>Reporting cycle</b>	Quarterly
<b>Desired performance</b>	Target achieved or exceeded.
<b>Indicator Responsibility</b>	Divisional Head: Complaints Handling & Investigations

7.15 TID15: Consumer Education and Awareness Initiatives

Table 31 TID15: Consumer Education and Awareness Initiatives

Indicator title	Consumer Education initiatives conducted to consumers
<b>Definition</b>	Interactive sessions conducted to guide consumers to demand quality goods and services and enforce their rights and demand quality goods. These programmes will be conducted through workshops, seminars and webinars.
<b>Source of data or information</b>	Attendance registers, confirmation by the host, meeting screenshots, minutes, notes, or transcripts.
<b>Method of calculation/ assessment</b>	A simple count of business awareness programmes conducted



<b>Means of verification</b>	Attendance registers, confirmation by the host, meeting screenshots, minutes, notes, or transcripts.
<b>Assumptions</b>	Target will be achieved
<b>Disaggregation of beneficiaries</b>	N/A
<b>Spatial transformation (where applicable)</b>	N/A
<b>Calculation type</b>	Cumulative (year-end)
<b>Reporting cycle</b>	Annually
<b>Desired performance</b>	Target will be achieved or exceeded.
<b>Indicator Responsibility</b>	Divisional Head: Education & Advocacy

7.16 TID16 Business Education and Awareness Initiatives

Table 32 TID16: Business Education and Awareness Initiatives

<b>Indicator title</b>	<b>Business Education initiatives conducted to consumers</b>
<b>Definition</b>	Interactive sessions conducted to guide SMME's of the obligation imposed by the Consumer Protection Act. These programmes will be conducted through workshops, seminars and webinars.
<b>Source of data or information</b>	Attendance registers, confirmation by the host, meeting screenshots, minutes, notes, and transcripts.
<b>Method of calculation/ assessment</b>	A simple count of business awareness programmes conducted
<b>Means of verification</b>	Attendance registers, confirmation by the host, meeting screenshots, minutes, notes, and transcripts.
<b>Assumptions</b>	Target will be achieved.
<b>Disaggregation of beneficiaries</b>	N/A
<b>Spatial transformation (where applicable)</b>	N/A
<b>Calculation type</b>	Cumulative (year-end)
<b>Reporting cycle</b>	Annually
<b>Desired performance</b>	Target will be achieved or exceeded.
<b>Indicator Responsibility</b>	Divisional Head: Education & Advocacy

7.17 TID17: Publication of Newsletter

Table 33 TID17: Publication of Newsletter



Indicator title	Publication of Newsletter
<b>Definition</b>	A publication that contains information which includes but limited to recent developments, achievements, upcoming events, the contributions and achievements of employees and the NCC, Information about new hires, promotions, or policy changes, articles or tips related to the consumer protection issues etc.
<b>Source of data or information</b>	<ul style="list-style-type: none"> <li>• A copy of the newsletter (in PDF, HTML, or web-based format) showing the actual content.</li> <li>• Screenshots of the email or web version of the newsletter.</li> <li>• Link to the publicly accessible newsletter (if published online).</li> <li>• A report from the email distribution tool (mimecast, exchange etc.) showing the date, time, and number of recipients.</li> </ul>
<b>Method of calculation/ assessment</b>	One (1) approved newsletter
<b>Means of verification</b>	<ul style="list-style-type: none"> <li>• A copy of the newsletter (in PDF, HTML, or web-based format) showing the actual content.</li> <li>• Screenshots of the email or web version of the newsletter.</li> <li>• Link to the publicly accessible newsletter (if published online).</li> </ul> A report from the email distribution tool (mimecast, exchange etc.) showing the date, time, and number of recipients.
<b>Assumptions</b>	Target will be achieved.
<b>Disaggregation of beneficiaries</b>	N/A
<b>Spatial transformation (where applicable)</b>	N/A
<b>Calculation type</b>	Cumulative (year-end)
<b>Reporting cycle</b>	Annually
<b>Desired performance</b>	Target will be achieved.
<b>Indicator Responsibility</b>	Divisional Head: Education & Advocacy

7.18 TID18: Calls to the Contact Centre

Table 34 TID18: Calls to the Contact Centre

Indicator title	Calls to the Contact Centre
<b>Definition</b>	The contact centre is one of the means through which consumers interact with the NCC. This indicator measures the percentage of calls answered.



<b>Source of data or information</b>	Data from the contact centre system. The calculation is done by taking the number of abandoned inbound calls to the contact centre divided by the number of all inbound calls.
<b>Method of calculation/ assessment</b>	A simple count.
<b>Means of verification</b>	Data from contact centre system.
<b>Assumptions</b>	Target will be achieved.
<b>Disaggregation of beneficiaries</b>	N/A
<b>Spatial transformation (where applicable)</b>	N/A
<b>Calculation type</b>	Cumulative (year-end)
<b>Reporting cycle</b>	Annually
<b>Desired performance</b>	Target will be achieved or exceeded.
<b>Indicator Responsibility</b>	Divisional Head: Education & Advocacy

7.19 TID19: Available Complaints handling e-Service System and Website

Table 35 TID19: Available Complaints handling e-Service System and Website

<b>Indicator title</b>	<b>Available complaints handling e-Service System and Website</b>
<b>Definition</b>	The indicator measures the uptime of the systems being: <ul style="list-style-type: none"> <li>self-service system for filing of consumer complaints.</li> <li>The NCC website.</li> </ul>
<b>Source of data or information</b>	SLA reports between the NCC and Service Provider for website maintenance, statistics from the uptime monitoring tool, and ICT service desk tickets.
<b>Method of calculation/ assessment</b>	<ul style="list-style-type: none"> <li>Monthly uptime = (the number of business hours monthly minus unplanned downtime (hours) divided by the number of business hours monthly) multiplied by 100.</li> <li>Quarterly performance = average uptime for the quarter (total of three months divided by three).</li> <li>Annual performance = average uptime for the year (total of four quarters divided by four) .</li> </ul>
<b>Means of verification</b>	SLA reports between the NCC and Service Provider for website maintenance, statistics from the uptime monitoring tool, and ICT service desk tickets.
<b>Assumptions</b>	The target will be met.



<b>Disaggregation of beneficiaries</b>	N/A
<b>Spatial transformation (where applicable)</b>	N/A
<b>Calculation type</b>	Cumulative (year-end)
<b>Reporting cycle</b>	Quarterly
<b>Desired performance</b>	Target achieved or exceeded
<b>Indicator Responsibility</b>	Chief Information Officer

7.20 TID20: Pay Service Providers.

Table 36 TID20: pay service providers.

<b>Indicator title</b>	<b>Pay Service Providers</b>
<b>Definition</b>	Payment of service providers rendering services to the NCC within the specified time.
<b>Source of data or information</b>	The target is measured based on invoices received from the 1 <sup>st</sup> of October 2024.
<b>Method of calculation/assessment</b>	The number of days are calculated from the date on which the invoice is approved by user.
<b>Means of verification</b>	Report submitted to Exco.
<b>Assumptions</b>	The target will be met.
<b>Disaggregation of beneficiaries</b>	N/A
<b>Spatial transformation (where applicable)</b>	N/A
<b>Calculation type</b>	Cumulative (year-end)
<b>Reporting cycle</b>	Quarterly
<b>Desired performance</b>	Target achieved or exceeded.
<b>Indicator Responsibility</b>	Divisional Head: Corporate services.



NATIONAL CONSUMER COMMISSION

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