

KNOW YOUR CONSUMER RIGHTS

The 10 Rs of Consumer Responsibility



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The Consumer Protection Act (CPA) was introduced into law in March 2011 to assist consumers to enforce their rights.

However, rights need to be balanced with responsibilities. In fact, one of the aims of the CPA is “to promote responsible consumer behaviour”.

But what is “responsible consumer behaviour”?

Louise Bick, Pro Bono Director at Werksmans Attorneys, has identified the following 10 Rs to help you understand what responsible consumer behaviour is:



01. Read
02. React
03. Record
04. Rectify
05. Review
06. Reconsider
07. Rely
08. Resolve
09. Resist
10. Relay



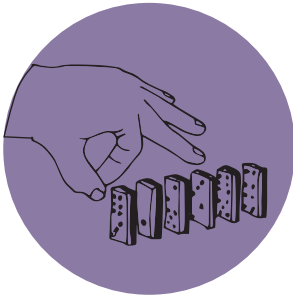
01. Read

You have the right to receive information in a way that is understandable. But, you still need to read agreements, including the terms and conditions, before signing.

If you are unsure about anything, you need to ask questions so nothing is unclear. It will be too late to say “I didn’t understand what I signed” after the agreement has been signed.



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02. React

Like a cavity in your tooth, letters from creditors are not going to go away. The longer you ignore them, the worse the situation will get. It is your responsibility to react to these letters because (in some instances), if you do not, you effectively give up certain of your consumer rights.

For example, by law, credit providers have to give you the option of seeking help from a debt counsellor before they can take action against you. If you ignore one of their notices (for ten business days or more) the credit provider can take you to court.

If you receive any kind of legal document, such as a summons or notice of motion, react as quickly as possible because you are given a limited number of days to respond. The amount of time you have will be in the document. You should take this seriously because if you do not, a court judgment could be taken against you without you being there.



03. Record

Write as much as you can down – from simple details such as the name of the person that you spoke to at a consumer complaints desk, to more important details such as dates, discussions and resulting arrangements.

If you ever have a legal problem at a later stage, it will be far easier to prove the facts if you have them in writing. The CPA recognises how important it is to have documentary proof and states that a supplier must provide you with a complete sales record of the transaction.



**Write down
as much as
you can**



04. Rectify

Correct errors timeously. If you see something strange, for example an amount on your statement or a deduction on your payslip, deal with it as it happens.

It will be far more difficult to reverse charges or deductions after a few months.

In some instances, the law will set a time limit to claim money owing to you (usually three years).



**Correct
errors
timeously**



05. Review

Check quotations and prices before accepting them. According to the CPA, you are entitled to a written quotation for any repair or maintenance services over R1 in value.

It is your responsibility to review this quotation and authorise the work to be done. The CPA also requires prices to be displayed and may not force a consumer to pay a price higher than the displayed price.



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06. Reconsider

Consumers often get caught up in the excitement of a sale, particularly when the goods or services are marketed to them directly by telephone, email or in person.

The CPA allows you to reconsider purchase made as a result of direct marketing. But, it is your responsibility to do so, and inform the supplier of your decision in writing, within five business days from the date on which either the transaction was concluded or the goods were delivered to you.



Consumers often
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excitement of a sale...



07. Rely

Consumers have the right to complain to the relevant Ombudsman of certain service industries (e.g. Banking, Credit, Motor, Press, Short and Long Term Insurance), who will try to mediate between you and the supplier to solve the issue.

It is your responsibility to choose respectable suppliers that are governed by these bodies if you wish to rely on this option.



**It is your
responsibility
to choose
respectable
suppliers...**



08. Resolve

It is your responsibility to try to resolve your consumer rights issue with the supplier directly. Certain resources will only be accessible once you have done so.

As an example, the Credit Ombud will only investigate your dispute after you have taken it to the credit provider or credit bureau concerned, and given them twenty business days to attempt to resolve the dispute.



**It is your
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09. Resist

Think about the consequences of overspending – personal, financial and environmental – and resist the temptation.

Be aware of the impact of your consumer behaviour on your own pocket and the community around you.



Think about the
consequences
of overspending



10. Relay

Tell others what you learn about consumer rights and responsibilities. The National Consumer Forum highlights the following consumer responsibility: “organise together as consumers to develop the strength and influence and to promote and protect our interests”.

The CPA allows for recognised consumer protection groups to act and protect the interests of consumers individually or collectively.



**Tell others
what you learn
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About Us

Werksmans Attorneys runs two weekly Pro Bono Consumer Protection Clinics.

The clinics are held every Tuesday at the SANCA Counselling House in Diepsloot and every Wednesday at the offices of ProBono.Org (Constitution Hill) from 9h00 until 12h00.

The clinics offer free advice to low income consumers on matters such as consumer rights issues including queries relating to contracts, policies, court judgments, administration and emolument orders.

To qualify for pro bono assistance at a Werksmans Consumer Law Clinic, consumers must be unemployed or earn less than R7000 per household per month (before expenses). Any property owned must have a value of less than R35 000.



Know your rights, know your responsibilities and empower others to do the same.

To book an appointment contact:

Diepsloot: +27(0)11 535 8358 (The Diepsloot Clinic is open every Tuesday between 09:00 -12:00; SANCA Counselling House, Diepsloot)

Braamfontein: +27(0)11 339 6080 (The Braamfontein Clinic is open every Wednesday between 09:00 – 12:00; ProBono.org Offices, Constitution Hill, Braamfontein)

You can also contact Werksmans Attorneys:



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