

A circular inset image showing a shopping cart and a gavel, symbolizing consumer protection and law. The shopping cart is silver with red handles, and the gavel is dark wood with a gold band. They are set against a background of dark wooden bookshelves filled with books.

# CONSUMER PROTECTION ACT 1986

# What Are Consumer Protection Act No 68 of 2009

**Geraint Howells, Stephen Weatherill**



## What Are Consumer Protection Act No 68 of 2009:

Current Consumer Cases, 2017      Bring Back My Identity Manqoba Mngomezulu, 2015-09-11 This valuable book offers easy to follow straightforward advice on understanding identity theft who is the primary target of information thieves what are the consequences of a stolen identity how to minimize the risk of losing your personal information choosing who to share personal information with selecting hard to guess passwords determining victimisation reviewing a credit report your commitment to protect your personal information and much more      **Consumer Protection Act 68 of 2009 and Regulations** Juta Law, 2011      Consumer Protection Act South Africa, 2008      *Consumer Protection Law* Geraint Howells, Stephen Weatherill, 2017-09-08 This fully revised and updated second edition of Consumer Protection Law introduces the reader to the substantive law of consumer protection in the United Kingdom the emphasis being on the place of United Kingdom law within an evolving European legal system and also on the need to draw upon comparative experience The book not only seeks to place consumer protection in its purely black letter context but also draws upon wider readings to show that consumer protection law is a complex area of law which reflects and shapes the individual citizen's position within the modern economy      **The Consumer Protection Act** South Africa. Department of Trade and Industry, 2010 This brochure is designed as an explanatory guide to the Consumer Protection Act No 68 of 2008 It is intended for the use of consumers and is not an exhaustive legal reference manual or a substitute for the Act      *Protecting consumers - the system for enforcing consumer law* Great Britain: National Audit Office, 2011-06-15 Unfair treatment of consumers ranging from pressure selling to systematic scams by criminals is costing billions of pounds each year but the system for enforcing consumer law is not delivering value for money The overall scale of this so called consumer detriment particularly that caused by doorstep crime is not being properly evaluated leading to the inefficient allocation of resources Although much detriment occurs at the regional and national level incentives are weighted against a coordinated approach which goes beyond local areas While there are no reliable figures NAO estimates the cost of detriment which cannot be tackled at local level is more than 4.8 billion each year Central government provides annual funding of 34 million to tackle crime which crosses the borders between local authorities but this is relatively low compared to the scale of the problem The Department for Business Innovation and Skills estimates that the annual funding for Trading Standards Services will reduce from 213 million to about 140 million 170 million by 2014 affecting action to address this problem The framework for prioritizing and allocating cases introduced by the Office of Fair Trading is not being applied as intended But formal structures for supporting the model are not in place in seven of the eleven regions and there is still a lack of clarity over who should be taking cases forward As a result the OFT has been able to take enforcement action on only two of the 15 cases referred to it in the last two years      *The Law of Consumer Protection and Fair Trading* Brian W. Harvey, Deborah L. Parry, 1992      *Consumer Protection Law* Geraint G. Howells, Stephen Weatherill, 1995 This book seeks to introduce the reader to the

substantive law of consumer protection in the United Kingdom with the emphasis being on the place of United Kingdom law within an evolving European legal system and also on the need to draw upon comparative experience The book seeks to place consumer protection not only in its purely black letter context but also to draw upon wider readings to show that consumer protection law is a complex area of law which reflects and shapes the individual citizen's position within the modern economy

A Straightforward Guide to the Rights of the Consumer David Bryan, 2004-02-01 Substantially revised and updated to incorporate recent changes in the law this latest guide in the Straightforward series will enable the layperson or professional to understand this tricky area of law better Clear and concise it covers just about everything from the Trade Descriptions Act to food and hygiene law **Everyone's Guide to the Consumer Protection Act** Clive Gibson, Geoff Hull, 2013

Consumer Protection Act, 1986 (Act No. 68 of 1986) B. K. Das (Advocate.), S. S. Rao (Advocate.), 1998 Consumer Protection Law Parvinrai Mulwantrai Bakshi, 2004 **Commentary on the Consumer Protection Act, 1986** Sukhdev Aggarwal, Parveen Aggarwal, Sanjay Lohia, 2003 Consumer Protection - Problems and Prospects Sheetal Sahoo, Aman Chatterjee, 2010 The contemporary era is marked as the era of consumers No country can knowingly or unknowingly disregard the interest of the consumers This can be argued on the basis of fast enactment of consumer protection laws in almost all part of the world Apart from the consumer protection laws in developed world we could find the accelerated rate of lawmaking for consumers in developing countries like Thailand Sri Lanka Korea Mongolia Philippines Mauritius China Taiwan Nepal Indonesia Malaysia and other countries India is not an exception to this rule The Consumer Protection Act 1986 is one of the examples that is to be treated as a milestone in the history of socio economic legislation to protect the interests of the consumers in India The main objective of the Consumer Protection Act is to ensure the better protection of consumers Unlike existing laws which are punitive or preventive in nature the provisions of this Act are compensatory in nature The Act is also intended to provide simple speedy and inexpensive redressal to the consumers grievances and relief of a specific nature and award of compensation wherever appropriate to the consumer The act has been amended in 1993 both to extend its coverage and scope and to enhance the powers of the redressal machinery THE CONSTITUTIONAL PERSPECTIVE The Constitution of India in Articles 38 39 42 43 46 and 47 provides that the state shall strive to secure a social order for the promotion of welfare of the people it shall direct its policies in such a way that operation of economic system does not result in the concentration of wealth and means of production to the common detriment it shall make provision for securing just and humane conditions of work and for maternity relief it should endeavor to build an economic organization or to make suitable legislation to ensure a decent standard of life to all the workers who constitute the bulk of the consumers it should promote educational and economic interests of schedule castes scheduled tribes and other weaker sections and it shall also raise the level of nutrition and standard of living and to improve public health Article 46 of the Indian constitution provides that state shall endeavor to protect the economic interest of the weaker section of its population

and also protect them from social injustice and all forms of exploitation which means all kinds of harassments and frauds in the market place This also includes people should be entitled to unadulterated stuff injurious to public health and safety This principle amply reflects the inclusion of the philosophy of the concept of consumerism in article 47 of the Indian Constitution THE INDIAN PENAL CODE 1860 THE DANGEROUS DRUGS ACT 1930 THE SALE OF GOODS ACT 1930 THE DRUGS CONTROL ACT 1950 THE INDUSTRIES DEVELOPMENT AND REGULATION ACT 1951 THE INDIAN STANDARDS INSTITUTIONS CERTIFICATION MARKS ACT 1952 THE PREVENTION OF FOOD ADULTERATION ACT 1954 THE MONOPOLIES AND RESTRICTIVE TRADE PRACTICES ACT 1969 THE CODE OF CRIMINAL PROCEDURE 1973 PRESENT SITUATION We all are consumers in one form or another But in the present socio economic scenario we find that the consumer is a victim of many unfair and unethical tactics adopted in the market place The untrained consumer is no match for the businessman marketing goods and services on an organized basis and by trained professionals He is very often cheated in the quality quantity and price of the goods or services The consumer who was once the king of the market has become the victim of it The modern economic industrial and social developments have made the notion of freedom of contract largely a matter of fiction and an empty slogan so far as many consumers are concerned With globalization and development in the International Trade and Commerce there has been substantial increase of business and trade which resulted in a variety of consumer goods and services to cater to the needs of the consumers In recent years there has been a greater public concern over the consumer protection issues all over the world In the early law the doctrine of caveat emptor let the buyer beware was the philosophy of the law of sales Today it has been replaced by let the seller beware As a result of this change of legal philosophy business is heavily regulated on behalf of the consuming public Many corporations today have a department of consumer affairs Product liability suits are already a part of tort law FUTURE PROSPECTS The Consumer Protection Act has aroused enormous expectation amongst the masses for redressal of their grievances These expectations can be realised only when the redressal machinery laid down in the Act is made functional However the place of establishment of redressal machinery under the Act has been slow The State Governments did not evince sufficient interest in establishing District Forums and the State Commissions In fact the District Forum is the fulcrum of the entire Consumer Disputes Redressal Machinery because a large number of cases are to be covered within the jurisdiction for the District forum The appeals against the orders of the District Forum are to go to the State Commission and against the orders of the State Commission to the National Commission The working of the State Commissions and the National Commission will remain diluted unless the District Forums are set up in all the Districts as envisaged in the Act These delays and defaults on the part of the State Government brought to the attention of the Supreme Court in a Common Cause v Union of India where the Court issued directions that all States and Union Territories to constitute all the District Forums and the State Commissions within six weeks It appears that the State Government has paid scant regard to this statutory obligation This is

the most unfortunate state of affairs for they betrayed total lack of concern for the constitution and functioning of the District Forums and State Commissions

**RECOMMENDATIONS** This paper attempts to explore and identify consumer awareness regarding consumer responsibilities and Consumer Protection Act 1986 It is patently obvious that consumers are not only the largest economic group but also the pivots of all the economic activities It is also true that the very consumers are the most unaware or voiceless group in most of the countries of the world There are plethora of laws and other mechanism to ensure the welfare of consumers yet they have no power to order where he can make his purchase at will

Suggestion 1 Educate consumers to develop an understanding about their responsibilities as consumers 2 Consumer should organize together to develop the strength and influence to promote and protect their own interest 3 Government should make and implement rules of punishment more harsh so that manufacturer and shopkeeper think twice before adopting fraudulent practices 4 A campaign should be set in motion to involve each and every consumer for making them more conscious and aware of their right and responsibilities 5 Government and other consumer agencies should make efforts in the direction of propaganda and publicity of district forum state and national judiciary established for consumer protection so as to make more and more consumer aware about machinery for their greater involvement and to seek justice in case of grievances 6 Redress procedure should be made more logical easy enough to be understood by a large number of consumers Further procedures shall so designed as to have easy handling and quick disposal of cases

**Consumer Protection Act (68/2008).** South Africa,2017

**Everyone's Guide to the Consumer Protection Act** Clive Gibson,2013-01-21 Whether you want to buy a television or a car provide a service file a consumer complaint or return an item to a seller you need to know your rights under the new Consumer Protection Act The CP Act has given every South African rights and obligations that up until now have not been an issue and ignorance of the law is not a defence This easily accessible guide explains how among other things the CP Act aims to Promote and protect the economic interests of consumers Improve access to and the quality of information that is necessary so that consumers are able to make informed choices Protect consumers from hazards to their well being and safety Develop effective means of redress for consumers and Promote and provide for consumer education

Everyone's Guide to the Consumer Protection Act is therefore essential reading for all South Africans every home should have one

Commentaries on the Consumer Protection Act, 1986 ,2003 **Commentary on the Consumer Protection Act** J. N. Barowalia,Abhishek Barowalia,2024 **Consumer Protection Act and Regulation Respecting Its Application 2001** Québec (Province),Guy Morin,François Tóth,2000-01-01

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