



PROVINCE OF THE EASTERN CAPE
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(Extraordinary)

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DEPARTMENT OF HEALTH

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PROVINCIAL NOTICE

No. 81

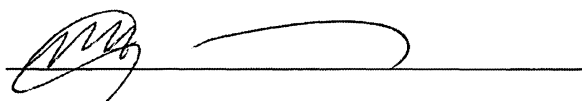
PROVINCE OF THE EASTERN CAPE

DEPARTMENT OF ECONOMIC DEVELOPMENT, ENVIRONMENTAL AFFAIRS AND TOURISM

INVITATION FOR NOMINATION OF CANDIDATES FOR CONSIDERATION FOR APPOINTMENT AS MEMBERS OF THE CONSUMER AFFAIRS TRIBUNAL IN TERMS OF THE CONSUMER AFFAIRS (UNFAIR BUSINESS PRACTICES) ACT, 1998 (ACT NO. 5 OF 1998)

I, **Mcebisi Jonas**, Member of the Executive Council responsible for Economic Development, Environmental Affairs and Tourism in the Province of the Eastern Cape, acting in terms of section 14(4) of the Consumer Affairs (Unfair Business Practices) Act (Eastern Cape), 1998 (Act No. 5 of 1998) hereby invite interested persons to nominate candidates for consideration for appointment as members of the Eastern Cape Consumer Affairs Tribunal within thirty (30) days of publication of this notice.

The conditions for appointment are as set out in the Schedule hereto.



M. JONAS

**MEC FOR ECONOMIC DEVELOPMENT,
ENVIRONMENTAL AFFAIRS AND TOURISM**

SCHEDULE

1. Section 14(2) of the Act provides that the Tribunal shall consist of the following persons :
 - (a) A chairperson, who shall be –
 - (i) A retired judge of the High Court; or
 - (ii) An attorney, advocate, retired magistrate or lecturer in law at a university, with not less than ten years cumulative experience in one or more such capacities; and
 - (b) Four additional members having special knowledge or experience of consumer advocacy, economics, industry or commerce.

2. Section 15 (1) of the Act provides that no person shall be appointed or remain a member of a tribunal if he or she is not a fit and proper person or-
 - (a) Is not a citizen of the Republic resident in the Province;
 - (b) Is a member of the Provincial Legislature, the House of Traditional Leaders of the Province or a local authority in the Province;
 - (c) Is a public servant;
 - (d) At the relevant time is, or during the preceding twelve months was, an office-bearer or employee of any party, movement, organisation or body of a party political nature;
 - (e) Is an unrehabilitated insolvent;
 - (f) Has at any time been convicted, whether in the Republic or elsewhere, of theft, fraud, forgery or uttering a forged document, perjury, an offence under this Act or the Corruption Act, 1992 (Act 94 of 1992), or any offence involving dishonesty; or
 - (g) Has at any time been removed from an office of trust on account of misconduct.

3. No person shall remain a member of a tribunal if he or she fails to disclose an interest which would require him or her to be recused.
4. Section 17 of the Act provides for the functions, powers and duties of tribunal which are as follows :
 - (1) A tribunal-
 - (a) shall hear, consider and make a decision on any matter which is before it by virtue of proceedings envisaged by this Act;
 - (b) may award costs, on a scale to be prescribed or in an amount determined by the tribunal, against any person found to have conducted the unfair business practice concerned and who is found to have acted fraudulently or grossly unreasonably;
 - (c) may generally deal with all matters necessary or incidental to the performance of its functions under this Act;
 - (d) shall exercise any other powers and perform the functions and duties assigned to it by this Act.
 - (2) Process of a tribunal shall run throughout the Province and orders of a tribunal shall have force throughout the Province.
 - (3) The MEC shall, subject to the laws governing the public service, appoint-
 - (a) a secretary of the tribunal to perform the administrative work incidental to the functions of the tribunal; and
 - (b) such other persons to assist the secretary of the tribunal as may be necessary.
5. Persons nominated must submit the following documents accompanying the nomination:
 - (a) a letter of acceptance of nomination;

- (b) proof of citizenship of the Republic of South Africa;
- (c) a sworn declaration that the person is not disqualified in terms of section 15 of the Act ; and
- (d) Comprehensive Curriculum Vitae.

Nominations must be in not later than 30 days from the date of publication of this notice.

Late nominations will not be considered.

Nominations must be addressed to -

The Head of Department

Department of Economic Development, Environmental Affairs & Tourism

Private bag X 0054

Bisho

5605

**Or hand delivered at HOD's Office, Old Metro Building, Hockley Close Street,
Beacon Hill, King William's town.**

Enquiries may be directed to **Ms Charnette Ferreira**

Tel: 043 605 7059

Cell: 078 007 8959

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