

# Consumer Protection during Covid 19 in South Africa

Laura Best <sup>1\*</sup>, Miemie Struwig<sup>2</sup>

<sup>1 & 2</sup> Nelson Mandela University, PO Box 77000 Gqeberha, South Africa

[https://doi.org/10.35609/gcbssproceeding.2022.1\(57\)](https://doi.org/10.35609/gcbssproceeding.2022.1(57))

---

## ABSTRACT

---

This paper outlines a qualitative analysis of consumer protection cases that were filed between April 2020 and March 2021 at the National Consumer Tribunal. Consumer protection agencies play a central role in ensuring the welfare of consumers in times of the Covid 19 pandemic and in its aftermath. Results of the analysis of the contents of the cases shows that South African consumer agencies acted with agility in line with their regulatory responsibilities. The cases examined in the study indicated that due to the relatively few cases able to be adjudicated, the National Consumer Tribunal had limited opportunity to contribute to the deeper consideration of the definitional development of the preventative intentions of the law in this regard. However, the Tribunal applied its mind to the definition of unfair pricing, in the interests of respecting consumers rights in this regard. The work of the Tribunal in interpreting important consumer rights to fair, reasonable and just pricing, is thus a lasting contribution to ensuring the realisation of these rights. In cases where businesses that were found to have not complied with the Regulations and were found to have engaged in prohibitive conduct and duly fined, sends a firm message to business that the violation of consumer rights will not be tolerated, even in complex circumstances such as during the Covid 19 pandemic.

**Keywords:** Business practices during Covid pandemic; consumer protection policy; consumer rights; price gouging; Tribunal adjudication