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**GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS**

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**DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION**

NO. R. 7380

15 April 2026

**CONSUMER PROTECTION ACT, 2008****CONSUMER PROTECTION ACT AMENDMENT REGULATIONS, 2026**

The Minister of Trade, Industry and Competition, in terms of section 120(1)(a), read with section 11(6), of the Consumer Protection Act, 2008 (Act No. 68 of 2008), and in consultation with the National Consumer Commission and provincial consumer regulatory authorities, hereby make the regulations in the Schedule.

  
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**Mr Mpho Parks Tau, MP****Minister of Trade, Industry and Competition****Date: 10/04/2026**

## SCHEDULE

### CONSUMER PROTECTION ACT AMENDMENT REGULATIONS, 2026

#### Definition

1. In this Schedule "the Regulations" means the Consumer Protection Act Regulations, 2011 published by Government Notice No. R. 293 of 1 April 2011.

#### Amendment of the Schedule to the Regulations

2. The Schedule to the Regulations is hereby amended by the addition of the following annexures to the "list of Annexures":

"Annexure N;

Annexure O;

Annexure P"

#### Amendment of Regulation 1 of the Regulations

3. Regulation 1(2) of the Regulations is hereby amended—

(a) by the insertion in subregulation (2) after the definition of "Act" of the following definition

""**cleansing**" means the process of removing consumers who have opted-out of any electronic communication from the direct marketer's database, ensuring that they are no longer contacted;"

(b) by the substitution in subregulation (2) for the definition of "Department" of the following definition:

""**Department**" means the Department of Trade, Industry and Competition;"

(c) by the insertion in subregulation (2) after the definition of "Department" of the following definition:

“**direct marketer**” means a person who engages in direct marketing;”

- (d) by the insertion in subregulation (2) after the definition of “Department” of the following definition:

“**electronic communication recipient**” means a consumer who receives electronic communication from the direct marketer and has registered a pre-emptive block;” and

- (e) by the deletion in subregulation (2) of the word “and” at the end of the definition of “in writing” and the insertion after that definition of the following definition:

“**pre-emptive block**” means registering a block on the opt-out registry established by the Commission as contemplated in section 11(3) of the Act to prevent any unwanted electronic communication from direct marketers; and”.

#### **Amendment of regulation 4 of the Regulations**

**4. Regulation 4 of the Regulations is hereby amended—**

- (a) by the substitution for paragraph (b) of subregulation (1) of the following paragraph:

“(b) registered a pre-emptive block, as contemplated in subregulation (8);”;

- (b) by the substitution for paragraph (b) of subregulation (3) of the following paragraph:

“(b) the registry must at all times, except in the case of unforeseen technical interruptions, be accessible to all persons in the Republic for purposes of registering a pre-emptive block;”;

- (c) by the deletion of paragraphs (i), (j) and (k) of subregulation (3); and

- (d) by the addition of the following subregulations:

“(7) In order to facilitate the effective operation of the opt-out registry, a direct marketer must—

- (a) register, on the opt-out registry administered by the Commission by completing a form that corresponds substantially to the form contained in Annexure P of these Regulations;

- (b) annually at the anniversary of the registration effect renewal by paying the prescribed renewal fee;

- (c) ensure that an electronic communication recipient is able to identify the name, electronic address, physical address and contact number of the direct marketer;
  - (d) ensure that the information kept on the opt-out registry is up to date;
  - (e) be identifiable even on public platforms;
  - (f) not disseminate any electronic communication from a public platform where the originator of the electronic communication is unidentifiable;
  - (g) ensure that any form of electronic communication transmitted to the recipient's device is identifiable by the recipient;
  - (h) not directly market any goods or services to any consumer who has registered a relevant pre-emptive block;
  - (i) remove, from its database, all data of persons who have registered a relevant pre-emptive block by cleansing such data monthly with the Commission; and
  - (j) not contact any consumer for the purpose of direct marketing and promoting any goods and services unless such direct marketer has been registered as a direct marketer on the opt-out registry.
- (8) A consumer may register a pre-emptive block contemplated in section 11(3) of the Act by completing a form that corresponds substantially with the form contained in Annexure O of these Regulations.
- (9) A consumer contemplated in subregulation (8) must—
- (a) provide accurate information that is required to register a pre-emptive block in the opt-out registry; and
  - (b) ensure that their information kept in the opt-out registry is always up to date.
- (10) The Commission must—
- (a) use the information received as the custodian of the opt-out registry, solely for the purposes of operating the opt-out registry;
  - (b) not disclose to a third party any confidential information received through the administration of the opt-out registry, without the consent of the party from whom such information was received, except where required by the application of law to disclose such information.
  - (c) verify all information received for registration on the opt-out registry, with other relevant state organs before registering profiles in the opt-out registry;

- (d) keep on its website, information for the purposes of assisting the consumers and direct marketers on how to use the opt-out registry; and
  - (e) if access to the opt-out registry is unavailable for a period of 24 hours or more, take reasonable steps to inform the public thereof as soon as possible.
- (11) The filing fee structure —
- (a) A schedule of the fee structure for filing of registration and annual renewal fee is attached hereto as Annexure N; and
  - (b) New tariffs will be published on a 3-year cycle”.

### Substitution of Annexure E to the Regulations

5. The following Annexure is hereby substituted for Annexure “E” to the Regulations:



#### “Annexure E

<b>National Consumer Commission</b>	
<b>Form – Complaint- Section 71 (1)</b>	
<b>*Full names of the complainant</b>	
<b>*ID/ Passport number of complainant (attach proof)</b>	
<b>Company Registration Number (in the case of a company)</b>	
<b>*Full Physical Address (Including area code)</b>	
<b>Province?</b>	<b>*Province:</b>
<b>*Cell phone number</b>	
<b>Telephone number</b>	
<b>Fax number</b>	
<b>*E-mail address</b>	
<b>Has this complaint been filed with the NCC before?</b>	



<b>*Details of steps taken to resolve the complaint</b>	
<b>* Attach the following documents:</b>	
Proof of Communication	
Proof of purchase/ Copy of contract	
Closing letter from an ADR	
<b>*What outcome do you propose for this complaint?</b>	
<b>Date:</b>	
<b>Names</b>	

“

**Addition of Annexures to the Regulations**

6. The following Annexures are hereby added to the Regulations:

**“Annexure N – Filing Fees**

<b>Fees</b>	<b>2026</b>	<b>2027</b>	<b>2028</b>	<b>2029</b>
Filing Initial Registration Fee	R2,574.00	R2,702.70	R2,837.84	R2,979.73
Filing Annual Renewal Fee	R1,930.50	R2,027.03	R2,128.38	R 2,234.80
Filing cleansing fee per data entry	R0,12	R0,14	R0,16	R0,18

“



**“Annexure O**

<b>National Consumer Commission</b>			
<b>Regulation 4</b>			
<b>Consumer Pre-emptive Block Form</b>			
Identity or Passport number of applicant			
Full names of applicant (as appearing on identity document)			
Surname		Maiden Name	
Gender		Citizenship	
Marital Status			
Email address			
Cell phone number			
Telephone number or alternative number			
Work or home physical address			
I hereby confirm that the information above is true and correct:			
_____		_____	
Names		Date	

“



**“Annexure P**

<b>National Consumer Commission</b>	
<b>Regulation 4</b>	
<b>Direct Marketer Registration Form</b>	
Company registration number	
VAT number	
Company name	
Company Director/s names	
Company telephone number	
Contact person	
Contact person’s number	
Company’s email address	
Company’s physical address	
Attachments included	B-BBEE certificate
	Valid Tax Clearance
I hereby confirm the information shown above is true and correct:	
_____	_____
Authorised Company contact person name	Date

**Short title and commencement**

6. These Regulations are called the Consumer Protection Act Amendment Regulations, 2026, and shall come into effect on publication date of the Notice.