THE FAIR TRADING COMMISSION

BEFORE THE BOARD OF COMMISSIONERS

IN THE MATTER OF THE CONSUMER PROTECTION ACT, 2010;

DARELL GOVINDEN
VS.
PTL (PTY) LTD
(Formerly trading as CEPREC)

Case No: CPA.16.023

Complainant – Mr. Darell Govinden
Respondent – PTL (Pty) Ltd (formerly trading as CEPREC)

QUORUM:
Ms. Karen Domingue – Chairperson
Mrs. Jenna Thelermont – Commissioner
Mr. Victor Pool – Commissioner

For the Complaint: Ms. Karine Dick –Legal Officer (FTC)

For the Respondent – Mr. Guy Ferley (Attorney-At-Law)

RULING

[1]The Fair Trading Commission filed a case before the Board of Commissioners on behalf of Mr. Darell Govinden against PTL (Pty) Ltd formerly trading as CEPREC of Orion Mall, Victoria, for the contravention of Section 42(1)(c) of the Consumer Protection Act, 2010 for failing to provide a replacement or refund of an LED TV amounting to SCR6,150 following an attempt at repair from which a subsequent defect, failure or unsafe feature was discovered. The Commission prayed that the respondent be ordered to refund the complainant the price paid for the LED TV pursuant to Section 42(6)(b) of the same Act.

[2]On Tuesday 19th September, 2017 Mr. Guy Ferley, representing PTL (Pty) Ltd appeared before the Board of Commissioners and informed the members that his client will not be contesting the breach and he has been instructed to settle the matter in full. The Commission did not object.

[3]Based on his own admission the Board of Commissioners finds the respondent PTL (Pty) Ltd to be in breach of Section 42(1)(c) of the Consumer Protection 2010 and hereby enters judgment against the respondent in the sum of SCR6,150 to be paid to the office of the Fair Trading Commission not later than thirty days from the date of this ruling.

We rule accordingly.

Dated this 19th day of September, 2017.

Ms. Karen Domingue
Chairperson

Mrs. Jenna Thelermont
Commissioner

Mr. Victor Pool
Commissioner