



Government Gazette

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AIDS HELPLINE: 0800-0123-22 Prevention is the cure

GENERAL NOTICE

NOTICE 469 OF 2005

DEPARTMENT OF TRADE AND INDUSTRY

CONSUMER AFFAIRS (UNFAIR BUSINESS PRACTICES) ACT, 1988

“ADVANCE FEE PAYMENT SCHEMES” (ALSO KNOWN AS 4-1-9 SCHEMES)

I, Mandisi Mpahlwa, Minister of Trade and Industry, hereby publish the regulations as amended and in terms of section 76 of the Consumer Affairs (Unfair Business Practices) Act, 1988 (Act No. 71 of 1988), giving effect to the penalty for a contravention of these regulations.

MANDISI MPAHLWA
MINISTER: TRADE AND INDUSTRY

Schedule

1. In this notice, notwithstanding anything contained in any other legislation or law

- (1) any person who by any false pretence, and with the intent to defraud –
- (a) obtains, from any other person, in South Africa or in any other country, for himself or any other person; or
 - (b) induces any other person, in South Africa or in any other country, to deliver to any person, any property, whether or not the property is obtained or its delivery induced through the medium of a contract induced by false pretense,

is guilty of an offence.

- (2) A person who by false pretense, and with the intent to defraud, induces any other person, in South Africa or in any other country, to confer a benefit on him or on any other person doing or permitting a thing be done

on the understanding that the benefit has been or will be paid for, guilty of an offence.

2. A person who-

- (a) with intent to defraud, presents himself as capable of producing, from a piece of paper or from any other material, any currency note by washing, dipping or otherwise treating the paper or material with or in a chemical substance or any other substance; or
- (b) with intent to defraud, represents himself as possessing the power or as capable of doubling or otherwise increasing any sum of money through scientific or any other medium of invocation of any juju or other invisible entity or anything whatsoever; or
- (c) not being registered as an authorized producer of monetary currency, makes or issues or represents as being capable of printing, making or issuing any currency note,

is guilty of an offence.

- 3. A person who, being the occupier or is concerned in the management of any premises, causes or knowingly permits the premises to be used for any purpose which constitutes an offence under these regulations, is guilty of an offence.
- 4. A person who by false pretense and with the intent to defraud any other person, invites or otherwise induces that person or any other person to visit South Africa for any purpose connected with the commission of an offence under these regulations, is guilty of an offence.
- 5. **(1)** Where false pretense which constitutes an offence under these regulations is contained in a letter or other document, it shall be sufficient in the charge or an