



THE CGSO WARNS THE PUBLIC ABOUT S.A. TRAMPOLINE

The Office of the **Consumer Goods and Services Ombud** (CGSO) is the consumer goods and services industry's compulsory Ombud scheme which has been accredited by the Minister of Trade and Industry in terms of section 82(2) of the **Consumer Protection Act(CPA)**. The CGSO enforces the Consumer Goods and Services Industry Code of Conduct by mediating disputes between consumers and suppliers of goods and services. The service is free to consumers.

The CGSO warns the public against making online purchases from SA Trampoline. SA Trampoline is an online business which manufactures and installs trampolines. The CGSO has received numerous complaints from consumers who have made a full payment or deposits ranging between R3200 and R6300 to SA Trampoline on the promise that the goods would be delivered and installed within 7 to 14 working days. The company has, after numerous communications from the consumers and our office failed to deliver the goods or refund consumers. In most cases more than three months had passed since the orders were placed. The owner of the company has not disputed receiving the monies but has failed to honour his promises to deliver and install the goods.

“While we will escalate the matter to the National Consumer Commission for further investigation and possible prosecution, we cannot allow this supplier to continue taking hard earned monies from consumers with the intention not to deliver the goods, said Ms Magauta Mphahlele, the Ombudsman. Ms Mphahlele further said that the CGSO Code requires them to create consumer awareness and also publish the type of complaints they receive as well as the suppliers against whom the complaints are lodged. “Many suppliers cooperate with our office when complaints are lodged against them but we still have a sizeable percentage that acts like SA Trampoline. We will continue to publish the names of non-cooperative suppliers, especially in instances where they take peoples monies with no intention to deliver the goods or services” said Ms Mphahlele.



SA Trampoline is in possible contravention of section 19 of the Consumer Protection Act (CPA) which provides that a supplier is generally responsible for the delivery of goods or the performance of the services on the agreed date and at the agreed time or within reasonable time, and at the agreed place unless the agreement between the parties provides differently. Where the supplier fails to deliver as promised, the consumer is entitled to cancel the agreement without any penalty and receive a refund. In some instances, section 46 of the *Electronic Communication and Transactions Act* (“ECTA”) will apply. It provides that “*The supplier must execute the order within 30 days after the day on which the supplier received the order, unless the parties have agreed otherwise. (2) Where a supplier has failed to execute the order within 30 days or within the agreed period, the consumer may cancel the agreement with seven days' written notice. (3) If a supplier is unable to perform in terms of the agreement on the grounds that the goods or services ordered are unavailable, the supplier must immediately notify the consumer of this fact and refund any payments within 30 days after the date of such notification.*”

The CGSO urges consumers to verify the credentials of online suppliers and their track record in delivering what they promise before paying upfront for orders.

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