

**AN ANALYSIS OF THE DISPUTE SETTLEMENT MECHANISM UNDER THE
CONSUMER PROTECTION ACT 68 OF 2008**

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SUMMARY

This article critically analyses the provisions of the *Consumer Protection Act 68 of 2008*, which deals with the enforcement of consumer rights. The Act provides for various forums where consumers can seek redress in cases where their rights have been infringed, impaired or threatened. The article demonstrates that the consumer redress mechanism is an essential component of the Act. However, it argues that having various forums to do so may pose practical challenges, as this may cause confusion and may lead to forum-shopping in cases where an aggrieved consumer has to choose the appropriate forum to seek redress. It is proposed that section 52 should be amended and that section 69 should be purposively and narrowly interpreted to ensure that the consumer protection institutions are exhausted before approaching the ordinary courts.

KEYWORDS: Consumer: consumer rights: dispute settlement mechanism: consumer protection institutions; enforcement and unfair terms.

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