

DIRECT MARKETING UNDER THE NEW CONSUMER PROTECTION ACT REGULATIONS – WHAT NOW?

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Attention all Property Practitioners who participate in direct marketing

In April 2026 the Minister of Trade and Industry signed some far-reaching changes which will affect property practitioners who undertake direct marketing, into law, by adding a few additional regulations to the Consumer Protection Act.

Herewith a brief summary:

1. A new definition has been added, namely that of a “direct marketer” meaning any person who “engages in direct marketing”.
2. 3 new Annexures were added:
 - a. Annexure “N” which lists the registration fees for 2026 to 2029. In 2026 this will cost you R2574.00 and to renew next year will cost R2027.03. There is also a “cleansing fee” of R0.12 per data entry.
 - b. Annexure “O” which is the Consumer’s Pre-Emptive Block form.
 - c. Annexure “P” which is the direct marketer’s registration form. You can [register here](#) as a direct marketer on the NATIONAL CONSUMER COMMISSION’s website
3. *All direct marketers must register and pay the registration fee. This must be renewed annually* – and again, a fee is payable. (Registration is not yet available though).
4. All recipients must *be able to identify you from any electronic communication* they receive from you.
5. Ensure the “opt out” option remains up to date.
6. You *must be identifiable on all* public platforms.

7. You may not disseminate any electronic communication unless you *are clearly identifiable as the originator*.
8. You **may not market directly to any consumer who has registered a pre-emptive block**.
9. Herewith a link to the site where you can register as either a consumer or a direct marketer - [Terms & Conditions - NCC eservice](#)
10. You must remove all data of any consumer who has registered a pre-emptive block by “cleansing” your data base monthly.
11. You may not do any direct marketing unless you have registered yourself.

A consumer may register a pre-emptive block using Annexure “O”.

In practise what this means is that **you will need to register yourself if you do direct marketing AND each and every time, you want to maybe cold call, you will first need to check the register to see whether the consumer has registered a pre-emptive block**.

CONCLUSION

I have registered as a consumer to try out the system. One question that I am trying to get my head around is: “STATUS – DEAD/ALIVE?” I decided to go with ALIVE and received an email confirmation of pending registration. I should have said DEAD. May this would have given me a glimpse of what waits for me in the afterlife! I then also tried to login after I had registered, at this link - [NCC eservice](#) and it asked me for a password – yet I was not asked to enter a password when I registered. Maybe I am just too stupid for all this IT or maybe I am too impatient and must first wait for further feedback.

I then tried to register as a marketer – a CIPC registration number is obligatory. I tried N/A but it refused me any further access. So, I don’t know what to tell sole proprietors. I guess this also means that each agent will have to register the CIPC number of the agency he/she works for, when registering individually.

I am also not at all sure where or how direct marketers must enter details of a consumer **to check whether he/she has registered a pre-emptive block**. I am assuming access to this will be available only to those who register.

Lastly, I could not find any information on where or how to “data cleanse”, and where or how the R0.12 per entry will be levied that is referred to in the one Annexure.

If and when we are able to unravel these mysteries, a further Newsflash will follow.

Kind Regards

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