

RESEARCH ARTICLE:

## Sepedi Language Speakers' Perceptions and Experiences of South Africa's Consumer Protection Act, with Specific Reference to the Banking Industry

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### Abstract

*The 2008 Consumer Protection Act (CPA) mandates clear communication in business interactions, emphasising plain language tailored to the target audience. This study explores how Sepedi-speaking customers in the banking sector perceive the CPA's effectiveness, particularly in regard to language rights as mandated in Section 22 of the Act. Through semi-structured interviews with nine participants, three key themes emerged. Firstly, using Sepedi facilitated comfortable communication and informed financial decisions. Participants reported feeling more empowered to make sound choices when information was presented in their preferred language. Secondly, the need for easily understandable documentation was crucial, particularly for those who struggle with legal jargon. Complex language can hinder consumer understanding and disadvantage those with limited knowledge and low levels of literacy. Finally, the study highlights the importance of consumer rights awareness and fair treatment from service providers. Regardless of their language proficiency or knowledge level, all consumers deserve honest and transparent interactions. These findings underscore the crucial role of clear language in empowering consumers and fostering fair market practices.*

**Keywords:** plain language; consumer protection act; consumer rights; language policy; language planning

### Introduction

In this increasingly complex world, with consumers overwhelmed by vast information, numerous competing products, and growing technological demands, the language used in communication has become increasingly important. Unclear information can lead consumers to buy unnecessary products due to misinterpreting or misunderstanding the language used to promote them (Leek and Kun, 2006: 185). One's ability to follow and interpret instructions and make informed decisions based on this interpretation empowers them to stay informed about current events (Cleary, 2004: 5). This is why language rights are crucial in any democratic society, as they serve as a tool for a nation's social and economic development. The question of language lies at the heart of the issue of accessibility of information in South Africa. The Constitution (South Africa, 1996) mandates equal status for all South African languages, making plain language essential for effective communication and inclusion. The National Credit Act (hereafter NCA) 34 of 2005 was the first consumer-directed document in South Africa to mandate plain language (Stoop and Chürr, 2013: 530). The NCA stipulates that consumers have the right to receive any paperwork in an official language they can understand (South Africa, 2005). This ensures that consumers can read and comprehend all documentation from service providers without confusion. Furthermore, the NCA prompts credit providers to use at least two official languages in their documents based on the National Credit Regulator's (NCR) requirements. Section 46 of the NCA specifies that documents must use plain language to be accessible to all classes of people, maintain consistent content throughout, and have a design that facilitates easy understanding (South Africa, 2005).

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The Consumer Protection Act (CPA) 68 of 2008 aims to ensure fair, comprehensible, and ethical business practices for all South African consumers. However, research suggests that non-English speakers often struggle to understand the complex language used in the CPA, particularly section 22, which mandates the use of plain language. This can lead to confusion, frustration, and difficulty accessing their full rights as consumers. This study focuses on the perceptions and experiences of Sepedi-speaking consumers (L1 Sepedi) in the banking industry. Sepedi is a widely spoken language in South Africa, but resources and information in this language are often limited. This study aims to:

- Understand how Sepedi-speaking consumers in the banking industry perceive the language used in the CPA, particularly in relation to section 22.
- Explore Sepedi-speaking consumers' understanding of their rights and the extent to which the CPA effectively promotes them.
- Identify any specific challenges faced by Sepedi speakers in accessing and understanding information related to consumer protection.

By investigating these questions, this research aims to contribute to a more inclusive and accessible consumer protection landscape for Sepedi-speaking communities in South Africa. The findings can inform policymakers, consumer advocates, and financial institutions on how to better communicate with and empower non-English speakers.

## **Literature Review**

The following is an exploration of the intersection of language and consumer protection in South Africa, focusing on the CPA and the NCA. The review explores the challenges faced by non-English speakers, particularly Sepedi speakers, in accessing clear information and making informed financial decisions. President J. F. Kennedy (1962) identified everyone, himself included, as a consumer: "as all of us are consumers, these actions and proposals in the interest of consumers are in the interest of us all". The term "consumer" denotes a natural or legal person who is predisposed to making various purchases of tangible goods or services, primarily to fulfil personal, social, family, or household needs (Şerban-Comănescu, 2019; Melville, 2011: 9). The Consumer Protection Act views a consumer as an individual to whom the supplier sells specific products or services regularly as part of their business (South Africa, 2008). The main aim of the CPA is to promote fair and good business practices between consumers and service providers (South Africa, 2008). The CPA can be seen as a tool that has transformed how business was previously conducted, empowering consumers with a platform to voice their opinions (Stoop and Chürr, 2013: 518).

According to the CPA (South Africa, 2008), one of its purposes is to enhance consumer education and information, thereby promoting sensible and informed decision-making and conduct. Since information can only be received and understood through language, language is a fundamental requirement that offers a means of expressing the elements of our conscious experience (Klemfuss *et al.*, 2012). Given the multilingual nature of South African society, the Constitution mandates equal treatment for all official languages (South Africa, 2008). The Constitution's requirement that all official languages be treated equally raises concerns about language rights for users of the various languages in question, as language functions as a tool for a country's economic and social development. Reddi (2002: 332) asserts that a language reflects an individual's identity, culture, and character; a person's language defines who one really is. South Africa has seen its share of inequality when it comes to issues related to language. English and Afrikaans were the only official languages during the apartheid era and were used openly in public domains, while access to the indigenous languages was restricted (Mesthrie, 2006: 151). From the era of colonisation, through apartheid, and now in the modern era, English has been a widely used language in South Africa, hence its inclusion as one of the country's official languages. It is important to note that most South Africans value English more than their indigenous languages (Mutasa, 2008: 219), with Kamwangamalu (2000: 52) pointing out that English is associated with high standards in South Africa.

The CPA hinges on how consumers understand and interpret information presented to them. This process relies heavily on two interconnected cognitive systems: language and perception. As perceptive beings, we constantly select, structure, and interpret incoming information, as Niosi (2021) suggests. Language, acting as a powerful top-down force (Francken *et al.*, 2015), influences this interpretation significantly. It shapes how we categorise, remember, and even prioritise details, influencing our overall decision-making (Cherry, 2020). Gilbert *et al.* (2005)

investigated the Whorf hypothesis, which proposes that language shapes perception, particularly in the domain of colour. They found that participants discriminated colours more accurately in the right visual field when the colours had different names, compared to the left visual field. This suggests that language can influence how we perceive colour, particularly in the right visual field. The impact of language on visual perception examined by Lupyan *et al.* (2020) emphasised how language affects both lower-level processes, like discrimination and detection, and higher-level processes, like recognition. The study highlighted the role of language in increasing our categorisation of the world. This demonstrates the reciprocal relationship between language and perception arising from the interactive and predictive nature of perception.

Ching and Zhang (2022) investigated how language affects speech perception and language development in children who have hearing loss. The study emphasised the detrimental effects of hearing loss on speech perception and language development. The longitudinal association between early voice perception skills and later language ability, however, is still unclear and needs more research. The causal implications of changes in pronoun usage on closeness perceptions in human relationships were examined by Fitzsimons and Kay (2004). The study showed how language, and more specifically, the choice of pronouns, can affect how people think about one another. Language structure can be utilised as a tool for communication, impacting social cognitive processes and perceptions. Collectively, these investigations reveal the intricate link between language and perception, highlighting its influence on various areas like colour, visual processing, action understanding, and social cognition. This bidirectional relationship, where language shapes perception and vice versa, sheds light on cognitive processes and can inform language learning and development.

Section 22 of the CPA states that consumers have the right to receive documents in plain and understandable language (South Africa, 2008). According to Stoop and Chürr (2013: 519), the plain language movement can be traced back to the 1970s, when the demand for contracts drafted in more understandable language for consumers became evident worldwide. Louw (2010: 135) stresses that the requirement that documents be generated in more than one official language must be followed, regardless of costs, viability, the intended audience, and regional circumstances. According to the NCA (South Africa, 2005), documents that use plain language are required to ensure that they are accessible to all classes of people. This means that the documents must be consistent, and their design must make it easy for readers to understand the material. In addition, Section 22 of the CPA emphasises that documents must be written in plain language to make them easy for ordinary consumers to grasp. This includes the use of visual elements. Additionally, the language and terminology used must be easy to understand and use (South Africa, 2005). This means that materials provided to customers by service providers must be simple to read and comprehend without leaving them perplexed.

Louw (2010: 118) defines plain language as “simply a way of writing so that the person for whom it is intended can understand it with ease.” Louw (2010: 118) points out that if a document is drafted in understandable language, it makes it easier for the parties concerned to communicate and share information effectively. Stoop and Chürr (2013: 519) state that the terms “plain and understandable” can be translated as “clear,” “understandable,” and “user-friendly”, implying that complex legal ideas and papers should be rewritten or simplified into language that is simple, clear, intelligible, and approachable. Furthermore, Stoop and Chürr (2013: 531) note that section 22 of the CPA serves to assist consumers in developing an awareness of their rights and information, as well as encouraging responsible behaviour by making informed choices. In order to determine if the NCA’s criteria have been followed, the study examined documents provided by the following organisations: Capitec Bank and African Bank.

For instance, Capitec has done much to ensure that its consumers have the option to transact in a language of their choice. Capitec’s language policy, available on its website, was approved on 17 August 2009 (Capitec Bank, 2009). Credit agreements have been made available to consumers in three languages (English, isiZulu, and Sepedi), with a summary of the salient terms provided in Tshivenda, Xitshonga, and Afrikaans (Capitec Bank, 2009). Pre-agreements, statements, and quotations are available in English, isiZulu, and Sepedi (Capitec Bank, 2009). Enforcement notices, also known as letters of demand, are available in English, isiZulu, and Sepedi, isiXhosa, Afrikaans, and Setswana, Sesotho, Xitsonga, and siSwati, and Tshivenda and isiNdebele (Capitec Bank, 2009). Brochures regarding Capitec’s savings, credit, and debit card products are available in English, Afrikaans, isiZulu, isiXhosa, Setswana, Sesotho, and Sepedi (Capitec Bank, 2009). While Capitec’s website remains solely in English, its ATMs offer transaction support in English, isiZulu, and Sepedi (Capitec Bank, 2009). Capitec’s Client Care Centre provides support and assistance in Setswana, Sesotho, isiZulu, isiXhosa, Afrikaans, and English. However, if a customer contacts the Care Centre after hours and the staff members on duty are unable to assist

them in their preferred language, the bank gives them the choice of having an agent contact them the following day during business hours to assist in their preferred language (Capitec Bank, 2009). Capitec assures its clients that in cases where terms and phrases used in documents cannot be translated, those terms will be provided in English but explained in the language of the client's choice. The bank acknowledges the potential difficulties associated with translating legal jargon into languages other than English and expresses concern that such translations might not hold up in South African courts. Consequently, it has chosen to have its clients sign documents written only in English (Capitec Bank, 2009).

African Bank Investments Limited (ABIL), known as African Bank, adheres to a language policy that was accepted by the NCR on 26 May 2009 (African Bank, 2009). The NCR requires that ABIL ensure that its documents and forms are available in English, isiZulu, and South Sotho. During the application process, customers are asked to choose their preferred language. To comply with the NCR's requirements, African Bank provides its customer documentation in various languages. Specifically, the pre-agreement statement and quotation are available in English, isiZulu, and South Sotho. These documents are generated automatically and made available to customers at the end of the application process based on their selected language (African Bank, 2009). The loan and card terms and conditions of ABIL are pre-printed in English and provided to customers upon application. Translated versions of the terms and conditions are made available in isiZulu and South Sotho on African Bank's internal website for branch use, and consultants can print these when requested by a client (African Bank, 2009). African Bank also makes use of an income and expense leaflet, the function of which is to assist customers in determining affordability. This leaflet is pre-printed in English, but ABIL has made it available on African Bank's internal website for branch printing in isiZulu and South Sotho (African Bank, 2009). Enforcement notices are printed in English, but should it happen that the contract agreement language used is not English, the bank will include the letter in the chosen language printed on the reverse of the English version (African Bank, 2009). Information brochures, which outline the key obligations, terms, costs, risks, and rights of the consumer with regard to the relevant credit agreement, are available in English. The document is in plain, understandable language in accordance with the requirements of the NCA, with the aim of ensuring that customers understand the credit agreements. These brochures are available in English, isiZulu, South Sotho, Afrikaans, Setswana, and isiXhosa in an electronic version and can be printed for customers upon request (African Bank, 2009).

The call centres assist clients in English, isiZulu, isiXhosa, Sepedi, South Sotho, and Afrikaans. Credit sales calls are in English, and consultants assist the consumers, where possible, in their home languages. Within their legal collections department, all communication is in English, as is their court and legal documentation. However, if clients are contacted telephonically and request to communicate in their home language, ABIL will try to accommodate them (African Bank, 2009).

## **Methodology**

The study's focus is on Sepedi language speakers' experiences and perceptions of the CPA, and therefore, a qualitative approach was considered relevant for exploring and understanding the complexity and richness of human experiences, perspectives, and meanings with regard to the CPA. Qualitative researchers choose this approach because they are primarily interested in understanding the meanings people construct, as these meanings shape how they experience and interpret the world around them (Merriam, 2009: 13). Denzin and Lincoln (2005: 3) state that qualitative researchers study phenomena in their natural settings and attempt to make sense of the meanings people have. This exploration of the meaning people attach to their experiences will be achieved by using structured questions designed to explore how Sepedi L1 speakers perceive and understand the CPA. The study embraces a case study design as it is considered a suitable tool to use when attempting to comprehend a subject, occurrence, or phenomenon thoroughly and in the context of real-world experience (Crowe *et al.*, 2011). Thacher (2006: 1631) believes that a case study can assist a researcher in identifying causal relationships and understanding the worldview of the people being studied. This is a case study as it focuses on one unit aimed at exploring what Sepedi L1 speakers understand and perceive about the CPA (South Africa, 2008) in the banking sector. The target population for this study is Sepedi L1 speakers residing in Ekangala, a township near Pretoria, South Africa. To ensure representativeness within this population, we employed a stratified purposive sampling technique, selecting nine participants across three income groups: below R16,000 monthly (lower), R16,000-R50,000 monthly (middle), and above R50,000 monthly (higher). This approach allowed us to capture the diverse experiences and perspectives of Sepedi speakers within different socioeconomic brackets.

The sample size, although small, adheres to the principles of qualitative research where saturation of information,

rather than statistical generalisability, is the primary objective. The justification for purposive sampling lies in its ability to target individuals with specific characteristics (income level in this case) who possess rich insights relevant to our research questions, ultimately enhancing the depth and quality of our findings. The study used open-ended, face-to-face interviews with nine purposefully selected participants. These interviews were conducted at pre-arranged geographic locations. The interviews focused on the awareness and experience of the CPA (South Africa, 2008). The interviews were recorded by means of note-taking and audio recording as recommended by Huberman and Miles (2002: 394) and De Vos *et al.* (2005: 261-354), among others. This enables the interviewer to capture all the participants' comments while also allowing for analysis and editing for clarity later. Boyce and Neale (2006: 3) define in-depth interviews as a qualitative research technique that entails interviewing a small number of participants to investigate their perceptions of certain ideas, programmes, and situations in the world. McMillan and Schumacher (2001: 42) view the in-depth interview as a conversation with a goal. The main advantage of in-depth interviews is that they provide the researcher with more detailed information than may be available through other data collection methods. Prior to starting the interviews, informed consent forms were distributed to and discussed with participants. These forms outlined the potential risks and benefits involved in the study and included the researcher's contact information for any questions or concerns. Additionally, to protect participants' identities, anonymity was ensured.

## Findings

The findings of this study can be divided into three core themes, which are presented and discussed below.

### ***Theme 1: Sepedi L1 speakers' favoured language of communication with the service providers***

The first objective of the research sought to determine how Sepedi L1 speakers viewed the CPA. The participants viewed it as promoting the rights of consumers, which include language rights. The preferred language of communication used by Sepedi L1 customers when communicating with service providers is a key element that emerged from this study. Based on the quotes, the study concluded that consumers preferred to communicate in a language they were most familiar with and understood.

P3, 1 stated: "*No, I was not happy with the language used because it is not a language I use day to day nor understand much better.*"

According to the quotation, speaking a language they are comfortable with when interacting with service providers can greatly help consumers make educated decisions before spending money. P1, 3 indicated: "*...that would make me comfortable and assistance with making informed decisions.*"

P4, 1 stated: "*Yes. I am satisfied with the language used as I can understand it well.*" and P9, 3 said: "*Yes, I normally prefer English.*"

The participants' responses were divided. Those who did not understand English felt deprived of the opportunity to receive information in their mother tongue. However, those who were competent in English had no problem receiving information in English. This contrast in language choice indicated that participants who used a language with which they were familiar in their day-to-day lives felt that doing so would yield positive results in decision-making associated with their financial spending. This seems to indicate that the use of a language in which individuals cannot fully express themselves is the main reason consumers find themselves in situations that make them feel they are being unfairly treated by service providers.

### ***Theme 2: The language used in documents presented to Sepedi L1 speakers***

The language used in a document carries significant weight, as the verbatim quotes reveal, due to not everyone having a legal background. Responses indicated the need to consider users when drafting documents, recognising unequal literacy levels. Before signing any document, a consumer should strive to understand their obligations before agreeing. Notably, participants overwhelmingly defined plain language as language simply understood by everyone. They further emphasised that both the document's appearance and its language influence an impression of transparency, assuring individuals they understand what they agree to. Additionally, the layout plays a crucial role in creating a user-friendly document that is accessible to all.

P1, 9 stated that: "*Plain language, to my understanding, is language or written words that one can easily identify and understand without the need for explanation.*"

P4, 10 said: "Sentence structures should be kept short as possible. Vocabulary should be easily understood and avoid the legal background. Headings should be there for one to find what they are looking for or have a systematic diagram."

### **Theme 3: Sepedi L1 speakers' experiences regarding their rights in terms of the Consumer Protection Act**

Participants perceived service providers as not adequately meeting their language needs based on their experiences requesting services. They believed the language choice mandated by the NCA and CPA should empower them to make informed decisions, yet they still relied heavily on explanations and advice from providers. Interestingly, while some participants acknowledged the protections offered by the CPA, they did not voice concerns or potential misconceptions. This suggests a lack of understanding regarding their consumer rights and how to exercise them in everyday practices, ultimately hindering their ability to fully grasp the rights they were entitled to.

P3, 4 highlighted: "What I understand about consumer rights is that I am protected as a buyer for the service I need and to make own choices without being treated unfairly by businesses."

P4, 11 highlighted: "No, as I find that information, especially the important one, is written in small letters and difficult to understand."

While participants indicated that information in their native Sepedi would be helpful, analysis revealed deeper concerns about its accessibility and effectiveness. Many expressed frustrations with complex sentence structures, legal jargon, and unclear formatting.

For example, P8 indicated: "It should not have fine prints and must simply state relevant information required by the consumer." P3 expressed the following sentiment: "I was not happy as the language used because it is not a language I use day to day nor understand much better." These sentiments resonated with others, highlighting the emotional impact of language barriers on the participants' ability to make informed decisions.

## **Discussion of Findings**

The Sepedi L1 consumers preferred to communicate in a language in which they were most proficient as they felt this would help them make informed choices and decisions, thus achieving the requirement of fairness and good business practice. Furthermore, it would allow them to "have a voice" when dealing with businesses from which they require services. This finding is in line with Klemfuss *et al.* (2012), whose study showed that language serves as a means of communicating the elements of our conscious experience and affords us an opportunity to participate in community activities. Leek and Kun (2006: 185) observed that considering language preferences helps consumers avoid misunderstandings and misinterpretations that could lead to the purchase of undesirable goods or services. A number of studies show that people have a clear preference for communication in their native language (Malik and Paswan, 2023). While catering for every language may be impractical, providing options empowers consumers and ensures a measure of comfort during service interactions (Malik and Paswan, 2023). This aligns with the need for simplicity in consumer rights understanding (Howells, 2020) and can be particularly relevant for financial services, where language barriers can create discomfort and hinder access (Mogaji *et al.*, 2021). By prioritising clear and accessible communication in preferred languages, financial service providers can build trust and enhance the customer experience. Stoop and Chürr (2013: 520) maintain that fairness in consumer protection laws is approached from two angles, namely substantive and procedural fairness. Procedural fairness concerns transparency regarding two elements: transparency in contracts and transparency on the basis of not being misled during contractual activities. This assumes that a contract can be deemed transparent if the contents are accessible, expressed in simple language, well organised, and cross-referenced, focusing on clauses that may be harmful to consumers and their rights. While substantive fairness is associated with the routine of fairness, procedural fairness focuses on the outcome and whether the consumer has a genuine chance to make an informed decision (Stoop and Chürr, 2013: 521). Thus, plain language aims to enhance procedural fairness in consumer documentation.

Following the requirement of plain language, the document must ensure that the context is consistent throughout. The layout should make it easy for readers to identify information, grasp and interpret the phrases used, and comprehend the headings, illustrations, and examples included to help readers grasp the text's substance (South Africa, 2008). The findings of this study further support Newman's (2010: 745) assertion that plain language

encourages customers to read and completely comprehend their obligations under the contract, resulting in fewer claims of contract breaches since the customer will be less inclined to accept the agreement without fully understanding all of the terms. Customers will be included as contributors to the nation's economy as a result of the provisions of Section 22 of the CPA (South Africa, 2008), which mandate that the documents used when transacting with service providers should be designed in a way that accommodates all individuals, regardless of their levels of literacy and consumer experience. This, in turn, will encourage understanding between service providers and consumers, giving rise to responsible, informed, and ethical behaviour among consumers. However, this is a complex issue due to the significant level of illiteracy in South Africa, resulting in many customers being unaware of their fundamental consumer rights and the laws protecting them. Research on plain language implementation in different sectors supports these concerns. While current legal documents may not explicitly spell out plain language standards, the tide is turning. As Blasie (2021) notes, "several new federal laws" mandate that legal documents must be "understandable to the average reader," highlighting a growing recognition of the need for clear communication. Even without detailed guidelines, the broad requirement that documents are "understandable to the average person" sets a powerful precedent, pushing legal language towards inclusivity and accessibility.

This study found that although the majority of Sepedi L1 speakers interviewed knew something about the CPA, they did not know how to put such knowledge to use in their regular purchasing behaviours. The findings further support Van Schalkwyk *et al.* (2015: 26) assertion that although retailers are relatively confident in their understanding of the nine basic consumer rights outlined in the CPA, a test of their actual knowledge indicates that a startling majority of them do not comprehend most of these rights. Van Schalkwyk *et al.* (2015) pointed out that teaching customers alone is insufficient, and retailers must also be made aware of both their obligations and consumers' rights. This highlights the need to educate consumers about their rights, as some service providers seem to have taken advantage of the fact there are certain individuals who know nothing about their rights as consumers. Despite consumer protection measures, significant challenges persist for low-income earners and people who do not speak English as a first language in South Africa. This would directly pertain to L1 Sepedi speakers. Chitimira and Ncube (2020) highlight how limited English proficiency pushes individuals towards alternative financial systems like stokvels, driven by their "simple common language." This linguistic barrier extends to accessing formal banking services, with "illiterate" individuals being unable to navigate digital channels (Chitimira and Ncube, 2020). Financial illiteracy further compounds their vulnerability, leaving them susceptible to "reckless spending" and "predatory lending" while being excluded from basic financial services (Chitimira and Ncube, 2020). Even established consumer protection mechanisms like the Consumer Tribunal present hurdles—as Koekemoer (2017) points out, the requirement for written submissions excludes illiterate consumers and those who are not sufficiently fluent in English without assistance. Addressing these challenges requires not only plain language communication but also multilingual support and targeted financial literacy initiatives to ensure true inclusivity and empowerment for all.

Despite the CPA and NCA advocating for plain language in consumer documents, significant challenges persist. Language barriers, particularly for non-English speakers and the financially vulnerable, impede access to clear information and informed decision-making. While organisations like Capitec and African Bank demonstrate efforts towards multilingual communication, limitations remain, particularly in digital channels and legal documentation. Effective consumer protection requires not only continued emphasis on plain language but also multilingual support, targeted financial literacy initiatives, and addressing the systemic inequalities that perpetuate language barriers and financial exclusion. Only through such comprehensive approaches can the CPA's true potential for empowering all consumers be realised. Moving forward, service providers in South Africa, including financial service providers, should prioritise plain language communication in all sectors. This could involve using clear and concise language, avoiding jargon, and providing user-friendly formatting with headings, bullet points, and visuals. By implementing these strategies, service providers can ensure that Sepedi L1 speakers have equal access to information and are empowered to make informed decisions, ultimately contributing to a fairer and more inclusive consumer market.

## Conclusion

This study highlights the critical need for both consumer education and ethical business practices when it comes to consumer rights and informed decision-making, particularly in regard to language preferences and clear communication. Sepedi L1 consumers, like many others, face communication barriers and often lack a practical

understanding of the legal protections afforded by the CPA. While consumers must actively exercise their rights, businesses must prioritise clear communication, transparency, and responsible conduct to foster informed decisions and fair market dynamics. By addressing both sides of the equation, we can empower consumers, promote responsible business practices, and ultimately establish a more equitable and informed marketplace for all. The research also indicates that regardless of a person's literacy level or prior consumer experience, service providers should strive to make documents involved in all transactions accessible to all, and they should clearly explain any legal jargon used. This, in turn, will encourage understanding between service providers and consumers and will assist in eradicating any confusion on the part of the customers. Finally, it was revealed that consumers knew there was an act that aimed at protecting their rights but did not know how to take advantage of the protections the act provides.

## References

- African Bank. 2009. ABIL Language Policy (Policy Document). Available: [https://www.africanbank.co.za/media/xmap0hub/african\\_bank\\_language-policy\\_letter.pdf](https://www.africanbank.co.za/media/xmap0hub/african_bank_language-policy_letter.pdf) (Accessed 23 August 2013).
- Blasie, M. A. 2021. The Rise of Plain Language Laws. *University of Miami Law Review*, 76(2): 447-524.
- Boyce, C. and Neale, P. 2006. *Conducting in-Depth Interviews: A Guide for Designing and Conducting In-Depth Interviews for Evaluation Input*. Watertown: Pathfinder.
- Capitec Bank. 2009. Capitec Language Policy (Policy Document). Available: [www.capitecbank.co.za/language-policy](http://www.capitecbank.co.za/language-policy) (Accessed 23 August 2013).
- Cherry, K. 2020. What Is Top-Down Processing? Available: <https://www.verywellmind.com/what-is-top-down-processing-2795975> (Accessed 10 August 2023).
- Ching, T. and Zhang, V. 2022. Predicting 9-Year Language Ability from Preschool Speech Recognition in Noise in Children Using Cochlear Implants. *Trends in Hearing*, 26: 1-13.
- Chitimira, H. and Ncube, M. 2020. Legislative and Other Selected Challenges Affecting Financial Inclusion for the Poor and Low-Income Earners in South Africa. *Journal of African Law*, 64(3): 337-355.
- Cleary, S. 2004. *The Communication Handbook: A Student Guide to Effective Communication*. Landsdowne: Juta.
- Crowe, S., Cresswell, K., Robertson, A., Huby, G., Avery, A. and Sheikh, A. 2011. The Case Study Approach. *BMC Medical Research Methodology*, 11(100): 1-9.
- De Vos, A. S., Strydom, H., Fouché, C. B. and Delport, C. S. L. 2005. *Research at Grassroots for the Social Science and Human Service Professions*. 3rd Edition. Pretoria: Van Schaik Publishers.
- Denzin, N. K. and Lincoln, Y. S. 2005. *The SAGE Handbook of Qualitative Research*. 2nd Edition. Thousand Oaks, CA: SAGE Publications.
- Fitzsimons, G. and Kay, A. 2004. Language and Interpersonal Cognition: Causal Effects of Variations in Pronoun Usage on Perceptions of Closeness. *Personality and Social Psychology Bulletin*, 30(5): 547-557.
- Francken, J. C., Meijs, E. L., Hagoort, P., Van Gaal, S. and De Lange, F. P. 2015. Exploring the Automaticity of Language-Perception Interactions: Effects of Attention and Awareness. *Scientific Reports*, 5(1): 1-9.
- Gilbert, A., Regier, T., Kay, P. and Ivry, R. 2005. Whorf Hypothesis is Supported in the Right Visual Field but Not the Left. *Proceedings of the National Academy of Sciences*, 103(2): 489-494.
- Howells, G. 2020. Protecting Consumer Protection Values in the Fourth Industrial Revolution. *Journal of Consumer Policy*, 43(1): 145-175.
- Huberman, A. M. and Miles, M. B. 2002. *The Qualitative Researcher's Companion*. London: SAGE Publications.
- Kamwangamalu, N. 2000. A New Language Policy, Old Language Practices: Status Planning for African Languages in a Multilingual South Africa. *South African Journal of African Languages*, 20: 50-60.



- Kennedy, J. F. 1962. Special Message to the Congress on Protecting the Consumer Interest. Available: <https://www.presidency.ucsb.edu/documents/special-message-the-congress-protecting-the-consumer-interest> (Accessed 07 March 2013).
- Klemfuss, N., Prinzmetal, W. and Ivry, R. 2012. How Does Language Change Perception: A Cautionary Note? Available: <https://doi.org/10.3389/fpsyg.2012.00078> (Accessed 8 August 2023).
- Koekemoer, M. 2017. South African Complaint Forums in the Retail Industry: A Survey of Literature and Some Lessons from the EU. *Journal of Consumer Policy*, 40(4): 419-445.
- Leek, S. and Kun, D. 2006. Consumer Confusion in the Chinese Personal Computer Market. *Journal of Product and Brand Management*, 15(3): 184-193
- Louw, E. 2010. The Plain Language Movement and Legal Reform in the South African Law of Contract. Master's Dissertation, University of Johannesburg.
- Lupyan, G., Rahman, R., Boroditsky, L. and Clark, A. 2020. Effects of Language on Visual Perception. *Trends in Cognitive Sciences*, 24(11): 930-944.
- Malik, A. Z. and Paswan, A. 2023. Language-Related Stereotype Threat, Customers' Well-Being and Its Outcome. *Journal of Services Marketing*, 37(7): 895-910.
- McMillan, J. H. and Schumacher, S. 2001. *Research in Education: A Conceptual Introduction*. 5th Edition. New York: Longman.
- Melville, N. 2011. *The Consumer Protection Act Made Easy with New Regulations*. 2nd Edition. Pretoria: Crink.
- Merriam, S. B. 2009. *Qualitative Research: A Guide to Design and Implementation*. San Francisco: Jossey-Bass.
- Mesthrie, R. 2006. Language, Transformation and Development: A Sociolinguistic Appraisal of Post-Apartheid South African Language Policy and Practice. *Southern African Linguistics and Applied Languages Studies*, 24(2): 151-163.
- Mogaji, E., Adeola, O., Hinson, R. E., Nguyen, N. P., Nwoba, A. C. and Soetan, T. O. 2021. Marketing Bank Services to Financially Vulnerable Customers: Evidence from an Emerging Economy. *International Journal of Bank Marketing*, 39(3): 402-428.
- Mutasa, D. 2008. Language Policy and Language Practice in South Africa: An Uneasy Marriage. *Language Matters*, 30: 83-98.
- Newman, S. 2010. The Influence of Plain Language and Structure on the Readability of Contracts. *Obiter*, 31(3): 735-745.
- Niosi, A. 2021. Introduction to Consumer Behaviour: Ancillary Resources. Available: <https://opentextbc.ca/ancillaryconsumerbehaviour/> (Accessed 08 August 2023).
- Reddi, M. 2002. Minority Language Rights in South Africa: A Comparison with the Provisions of International Law. *The Comparative and International Law Journal of Southern Africa*, 35(3): 328-350.
- Șerban-Comănescu, A. 2019. Current Consumer Behaviour. *Ovidius University Annals, Series Economic Sciences*, 19(2): 589-597.
- South Africa. 1996. Constitution of the Republic of South Africa. Pretoria: Government Printer. Available: <https://www.gov.za/sites/default/files/images/a108-96.pdf> (Accessed 13 March 2024).
- South Africa. 2005. National Credit Act 34 of 2005. Pretoria: Government Printer. Available: [https://www.gov.za/sites/default/files/gcis\\_document/201409/a34-050\\_1.pdf](https://www.gov.za/sites/default/files/gcis_document/201409/a34-050_1.pdf) (Accessed 13 March 2024).
- South Africa. 2008. Consumer Protection Act 68 of 2008. Pretoria: Government Printer. Available: [https://www.gov.za/sites/default/files/32186\\_467.pdf](https://www.gov.za/sites/default/files/32186_467.pdf) (Accessed 13 March 2024).
- Stoop, P. N. and Chürr, C. 2013. Unpacking the Right to Plain and Understandable Language in the Consumer

Protection Act 68 of 2008. *Potchefstroom Electronic Law Journal*, 16(5): 514-614.

Thacher, D. 2006. The Normative Case Study. *American Journal of Sociology*, 111(6): 1631-1637.

Van Schalkwyk, P. J., Bevan-Dye A. and Akpojivi U. 2015. South African Small Independent Retailers' Knowledge of the Consumer Protection Act. *The Retail and Marketing Review*, 11(2): 19-28.