



APAC

News

AGRICULTURAL PRODUCE
AGENT COUNCIL

Newsletter 1 of July 2009

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Who is APAC?

In terms of the Agricultural Produce Agents Act, Act 12 of 1992, the Minister of Agriculture is required to establish an Agricultural Produce Agent Council (APAC) – a Statutory Body – to administer the Act on behalf of the Minister.

The reason for the Act and for the establishment of APAC is because Agricultural Produce Agents act on behalf of their client – Farmers – in a financial capacity and the Act is there to protect the farmers' interest.

The Council meets at various times through the year according to its needs and oversees the implementation of Act 12 of 1992.

A Registrar, Deputy Registrar and a Secretary are the full time staff compliment and they are charged with managing the day to day activities of APAC and ensuring compliance in terms of the Act.

*The new Council was appointed on
3 March 2009*



Front row, left: Mrs M Snyman, Mr TD van Zyl, Mr AG Petersen (Chairperson), Mr C Malherbe, Ms Z Moyo.

Back row, left: Mrs G Backhouse, Mr S Symington, Mr MN Makhanya, Ms P Mlengana, Mrs L Pretorius (Registrar), Mr A Young, Mr U Rhoda, Mr P Botha

How does APAC regulate?

The Rules specify a strict Code of Conduct to which all Fresh Produce, Export and Livestock Agents must adhere to.

The Rules further more stipulate how Fresh Produce Agents must conduct business. For example:

- The maintenance of a trust account and forwarding it monthly to APAC to verify correctness.
- Auditing of all financials annually and bi-annually.
- Reporting to Producers within three working days after receiving the consignment and there after a weekly report.
- Payment of Producers within five working days.
- Disciplinary procedures that should be followed due to theft or misconduct.

Objective of the Council

Section 9 of Act 12 of 1992:

To regulate the occupations of fresh produce, export and livestock agents and to maintain and enhance the status and dignity of those occupations and the integrity of persons practicing those occupations.



The Fidelity Fund

The Fidelity Fund was established to reimburse Farmers for direct losses experienced due to either theft or dishonesty by a Fresh Produce Agent.

Claims against the fund will only be considered if the claimant lodges the complaint in writing within six months after becoming aware of the loss.

APAC will firstly initiate a full investigation as well as conduct a disciplinary hearing prior to considering payments of any claims.

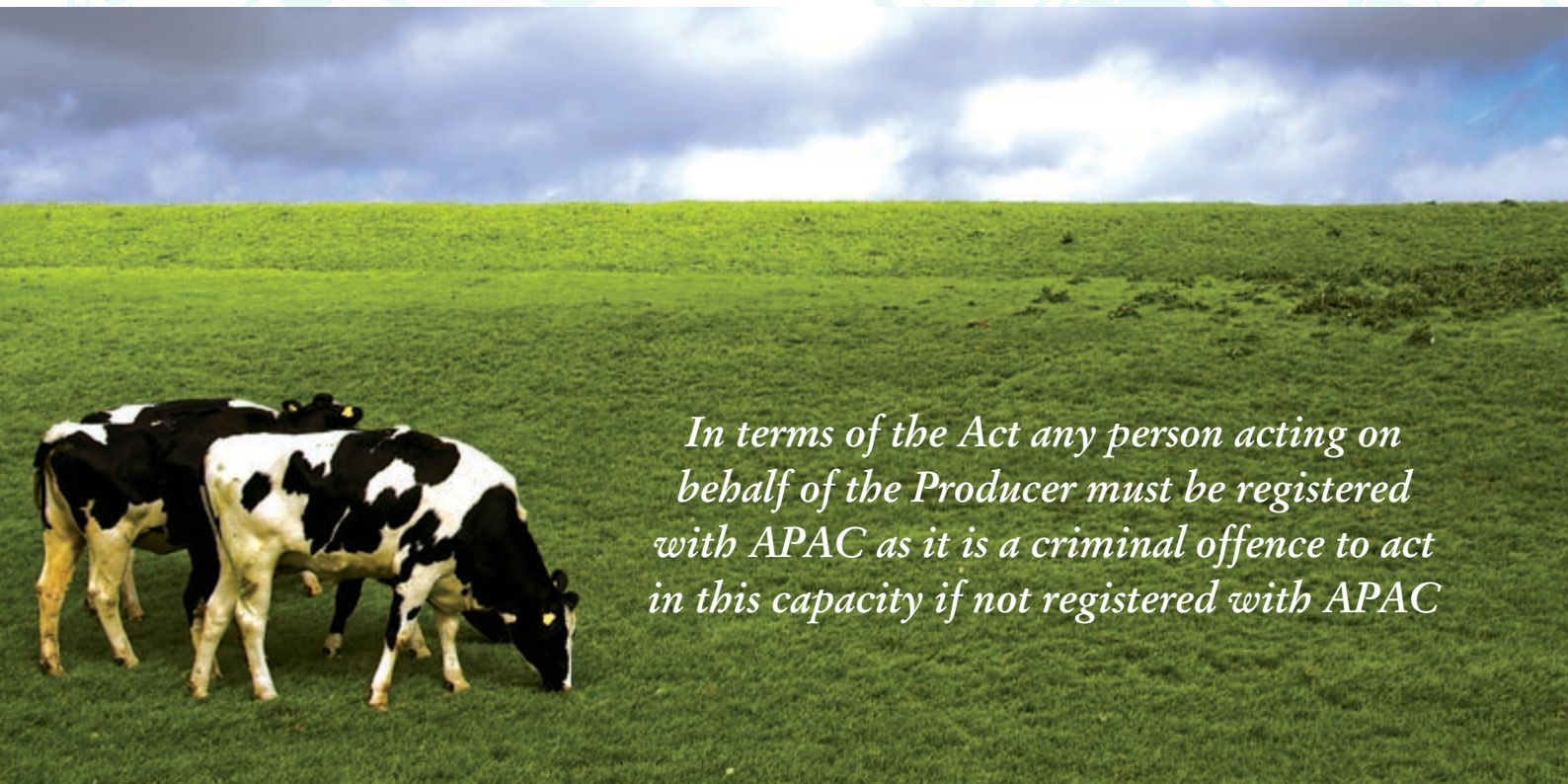
Claims will only be paid in accordance to Section 13 of the Act whereby claims will be limited to the average market value of such produce on the date when the claim was lodged.

Producers also has a responsibility to minimize claims by ensuring that if payment for a consignment is not received within five working days, to stop sending further consignments and report it immediately to APAC, as this also plays a vital role in the amount Farmers will be reimbursed for losses suffered.

Goals for 2009/10

APAC's goals for this financial year will be as follows:

1. Continuous education of the Agricultural Sector (Producers, Organizations, Fresh Produce Markets, Agents) through training, advertisements, pamphlets, presentations during workshops and seminars and visits to Fresh Produce Markets.
2. Enhancing the knowledge and skills of the fresh produce market agents via training.
3. Compile and implementation of an accredited entrance training module for new sales persons which will be compulsory to attend and pass the exam, prior to issuing a Registration Certificate.
4. Promoting relationships with our Producers and Organisations by addressing complaints timeously and working together towards promoting the Industry.
5. Finalization of amendments to the Act (Act 12 of 1992) to better regulate Fresh Produce, Export and Livestock agents.
6. Compilation of a Credit Selling Policy, which is currently unregulated and resulting in unethical conduct.
7. Regular stock count at Fresh Produce Markets in order to detect and correct areas of concern prior to receiving formal complaints from Producers and Organisations.
8. And lastly, better regulated Fresh Produce Agents by ensuring compliance towards the Act as well as by continuously monitoring and enforcing it.



In terms of the Act any person acting on behalf of the Producer must be registered with APAC as it is a criminal offence to act in this capacity if not registered with APAC

