







**SECTION E****BEE**

Has an independent BEE verification been done on the agency?

Yes  YNo  N

If yes, what rating was obtained?

Level -

Kindly provide a copy of the certificate

If no, when will the verification be done?

Y	Y	Y	Y	M	M	D	D
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**SECTION F****SARS DETAILS**

Tax registration number:

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VAT registration number:

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**SECTION G****ACKNOWLEDGEMENT BY APPLICANT**

I, \_\_\_\_\_ being an authorised representative of the applicant(agency) hereby declare as follows:

- a) The information contained in this application form and the annexure is true and correct in every aspect;
- b) I hereby consent to APAC conducting the necessary searches (e.g. Companies search, Credit search, etc.) or to take any other reasonable measures in order to verify that the information contained in this application form and the annexures is both true and correct;
- c) I do understand that my occupation requires honesty in handling of cash on behalf of producers.

Signed at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

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 Signature

WHEREAS section 17(1) of the Agricultural Produce Agents Act, 1992 prohibits the conduct of the business of fresh produce agent, unless the prescribed security has been given to the Registrar of the Agricultural Produce Agents Council to fulfil any obligation that may arise towards any person referred to in that section.

AND WHEREAS the fresh produce agent/fresh produce agents\* described below desires/desire\* to give security/security jointly\* for the above purpose:

NOW, THEREFORE (name of guarantor) .....  
duly and lawfully represented herein by .....  
.....

in accordance with and subject to the regulations published by Government Notice No. 27892 of 19 August 2005, or as they may from time to time be amended, hereby –

- (a) Guarantees to the Registrar of the Agricultural Produce Agents Council that the said fresh produce agent/fresh produce agents\* shall fulfil any obligation that may arise towards any person in respect of the proceeds of a product which such person has entrusted to that fresh produce agent/any one or more or jointly to that said fresh produce agent\* for sale, or in respect of damage to or loss of such produce, including an obligation to pay the taxed costs of an action for the recovery of such proceeds, or of compensation in respect of such damage or loss, but excluding an obligation to pay interest on such proceeds or compensation;
- (b) undertakes to bind himself in solidum towards the said Registrar to pay to the said Registrar within three days after receipt of a written advice from the said Registrar that the said fresh produce agents has/any one or more or all of the said fresh produce agents have\* failed to fulfil an obligation referred to in paragraph (a) an amount of R

.....  
( ..... )

or any such smaller amount as the said Registrar may require in the said written advice, for utilisation in the manner set out in the said regulations;

- (c) expressly renounces the beneficium ordinis seu excussionis, the beneficium divisionis and the beneficium cedendarum actionum, the meaning and effect of which he acknowledges to be fully acquainted with, and any other defence which he lawfully otherwise may raise and which may have the effect of preventing or delaying the fulfilment of his obligations under this guarantee;

AND THIS guarantee is further given on the express understanding that the guarantor’s liability under paragraph (a) hereof, shall be strictly limited to the payment to the said Registrar of the amount referred to in paragraph (b).an amount of R .....

( ..... )

or any such smaller amount as the said Registrar may require in the said written advice, for utilisation in the manner set out in the said regulations;

AND THIS guarantee is further given on the express understanding that the guarantor’s liability under paragraph (a) hereof, shall be strictly limited to the payment to the said Registrar of the amount referred to in paragraph (b).

Thus done and signed at .....

on this .....day of .....20.....

.....  
GUARANTOR

WITNESSES:

- 1. ....
- 2. ....

Fresh produce agent(s) on whose behalf this fidelity guarantee is given:

	Name	Address	Trade name of business
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			

\* Delete whichever words are not applicable.

.....  
GUARANTOR

WITNESSES:

- 1. ....
- 2. ....

**NOTICE WITH REGARD TO A TRUST ACCOUNT**

Name of fresh produce agency: \_\_\_\_\_

Address: \_\_\_\_\_

You are hereby advised that the account being opened with your bank in the name of the abovementioned agency is a trust account as defined in the Agricultural Produce Agents Amendment Act 2003 (Act 47 of 2003) and that the provisions of the said Act and the rules made by the Agricultural Produce Agents Council under Section 19 of the said Act apply thereto.

Kindly indicate the expression "Trust Account: Act 47 of 2003" or "Trustrekening: Wet No. 47 van 2003" in conjunction with the name of this agency as specified above on each bank statement, cheque form or other document issued in connection with the said account.

\_\_\_\_\_  
Signature of Agent\_\_\_\_\_  
Date

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**TO BE COMPLETED BY THE BANK**

Name of bank: \_\_\_\_\_

Branch name and code: \_\_\_\_\_

Address: \_\_\_\_\_

This serves to confirm that the above communication has been noted and that we will act accordingly.

Particulars of the account that has been opened are as follows:

Type of account: \_\_\_\_\_

Account number: \_\_\_\_\_

\_\_\_\_\_  
Signature of bank official\_\_\_\_\_  
Date

Official bank stamp

**IMPORTANT: COMPLETE THIS FORM FOR EACH OF THE ENTITY OWNERS**

Owner number:

(e.g. 1)

Title:  Initials:  Gender: Female  Male Surname: Full names: ID number: Race: African  Coloured  Indian  White  Other 

Residential address:

City Province Postal code 

Landline number:

Postal address: (If different from residential address)

City Province Postal code 

Mobile number:

Email address:

Highest qualification obtained: (Please attached proof)

**Declaration of conflict of interest:**

Rule 2 - Integrity, objectivity and independence:

2.1 A fresh produce agent shall at all times –

(a) act honestly and conscientiously in the practising of his occupation;

(b) act in the best interest of his principals;

(c) avoid entering into relationships or obtaining interests that, either directly or indirectly, impair or threaten his capacity to act in accordance with paragraphs (a) and (b);

2.2 A fresh produce agent shall maintain an impartial approach in practising his occupation, and for this purpose be free of any influence or relationship that, either directly or indirectly, could impair his judgement or independence.

2.3 A fresh produce agent shall maintain such integrity and objectivity in the practising of his occupation as is necessary to enable him to apply unbiased judgment and objective consideration in forming an opinion or arriving at decisions.

Rule 4 - Incompatible practices:

A fresh produce agent shall not hold decision making positions, controlling interests or offices of whatever nature, or engage in any venture, business or occupation, which results or could result in a conflict of interest or an impairment of his independent judgement in the practising of his occupation.

Do you, your wife or relatives have interests in other agricultural business?

Yes

 Y

No

 N

If yes, list the particulars below:

Initials and surname	Relationship	Conflict
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>



Has a civil judgement ever been passed against you?

Yes  Y No  N

Have you ever been sequestered?

Yes  Y No  N

Have you ever been rehabilitated?

Yes  Y No  N

Have you ever been convicted of an offence in terms of the National Credit Act or other credit legislation?

Yes  Y No  N

Have you ever been convicted of a criminal offence in South Africa or elsewhere?

Yes  Y No  N

**Previous experience:**

Particulars of employment during the last 5 years:

From	To	Employer	Industry
<input type="text"/>	- <input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	- <input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	- <input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	- <input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	- <input type="text"/>	<input type="text"/>	<input type="text"/>

**Acknowledgement by applicant:**

I, \_\_\_\_\_ the applicant hereby declare as follows:

- a) I will comply with Act 12 of 1992 and the Rules in Respect of Fresh Produce Agents;
- b) I have carefully read the application form and I am fully aware of the contents thereof;
- c) The information contained in this application form and the annexure is true and correct in every aspect;
- b) I hereby consent to APAC conducting the necessary searches (e.g. Companies search, Credit search, etc.) or to take any other reasonable measures in order to verify that the information contained in this application form and the annexures is both true and correct;
- e) I do understand that my occupation requires honesty in handling of cash on behalf of producers.

Signed at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_  
Signature

**Purpose:** Applicant must complete the comprehensive memorandum in terms of his/her understanding of the Agricultural Produce Agents Act (Act 12 of 1992) and the Rules (Government Gazette Nr. 27892). The aim is to establish whether the applicant has the necessary legislative knowledge required prior to being registered.

Please ensure you have comprehensively studied the Act and the Rules for Fresh Produce Agents, before completing the questions below.

**PART A: GENERAL**

**1. What is the objective/function of the Agricultural Produce Agents Council?**

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**2. What monies should be paid into an Agency's Trust Account?**

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**PART B: CODE OF CONDUCT**

**3. What does the Code of Conduct specify regarding an Agent's knowledge and skills?**

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**4. When can an agent claim remuneration at a higher rate or scale?**

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5. Can an Agent accept gifts from buyers, farmers or a third party?

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6. On what conditions, may an Agent canvas for new business?

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7. When should the fresh produce received, be recorded on the system and what information should be recorded on the system?

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**PART C: RECEIPT AND SALE OF FRESH PRODUCE**

8. When should a sales note be issued to the buyer and what information must be reflected on the sales note?

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9. When a new consignment of fresh produce is received from the principal, when must the Agent report to the principal on the sold and unsold fresh produce?

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**10. How often must an Agent provide accounting sales reports to principals via fax, email, etc?**

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**11. If an Agent wants to sell the principal's fresh produce on credit to a buyer, what procedure must be followed first? Secondly, what information should be provided to the principal and be included in the written letter?**

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**PART D: WHAT CAN THE DISCIPLINARY TRIBUNAL SANCTIONS BE, IF AN AGENT IS FOUND GUILTY OF IMPROPER CONDUCT (SEE SECTION 26 OF THE ACT)?**

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**PART D: WHAT IS THE PURPOSE OF THE MARKET REGULATIONS/BYLAWS?**

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The applicant must kindly indicate at which preferred branch, date and time he / she wants to do the criminal vetting at Afis Zone.

It should be noted that a cancellation fee is payable should the applicant not make it to the booked slot. Please remember that the applicant should take his/her ID or Passport as well as the Annexure A to the selected branch. Kindly note that an additional fee is payable when the applicant uses a passport as identification.

An e-mail will be sent to the applicant confirming the reservation as well as the physical address of the branch that he/she needs to visit. The applicant must kindly indicate at which preferred branch, date and time he / she wants to do the criminal vetting at Afis Zone.

It should be noted that a cancellation fee is payable should the applicant not make it to the booked slot. Please remember that the applicant should take his/her ID or Passport as well as the Annexure A to the selected branch. Kindly note that an additional fee is payable when the applicant uses a passport as identification.

An e-mail will be sent to the applicant confirming the reservation as well as the physical address of the branch that he/she needs to visit.

It should be noted that a **cancellation fee** is payable should the applicant not make it to the booked slot. Please remember that the applicant should take his or her ID or Passport (an **additional fee** of is payable when the applicant uses a passport as a form of identification) and Annexure A to the selected zone.

PROVINCE	AREA
Gauteng	❖ Alberton
Gauteng	❖ Bedfordview
Gauteng	Benoni 1
Gauteng	Benoni 2
Gauteng	❖ Braamfontein
Gauteng	❖ Bramley
Gauteng	❖ Brooklyn
Gauteng	❖ Brooklyn Mall
Gauteng	❖ Bryanston 1
Gauteng	❖ Bryanston 2
Gauteng	❖ Carletonville
Gauteng	❖ Centurion
Gauteng	❖ Centurion Mall
Gauteng	❖ Daveyton
Gauteng	❖ Diepkloof (Soweto)
Gauteng	❖ Edenvale
Gauteng	❖ Fourways
Gauteng	Germiston
Gauteng	Isando
Gauteng	❖ Johannesburg CBD
Gauteng	❖ Kempton Park
Gauteng	❖ Kempton Park CBD
Gauteng	Krugersdorp
Gauteng	❖ Lenasia
Gauteng	❖ Lonehill
Gauteng	❖ Mayfair
Gauteng	❖ Meyererton
Gauteng	❖ Midrand
Gauteng	Montana
Gauteng	❖ Monument Park
Gauteng	❖ Orlando East
Gauteng	Parktown 1
Gauteng	❖ Parktown 2
Gauteng	❖ Pretoria CBD
Gauteng	❖ Pretoria North
Gauteng	❖ Randburg
Gauteng	❖ Roodepoort
Gauteng	❖ Rosebank
Gauteng	❖ Rosebank Mall
Gauteng	Sandton 1
Gauteng	❖ Sandton 2
Gauteng	❖ Selby
Gauteng	Silverlakes
Gauteng	❖ Soweto (Bara Mall)
Gauteng	Tembisa
Gauteng	❖ Vanderbijlpark
Gauteng	❖ Wadeville
Gauteng	❖ Woodmead

PROVINCE	AREA
Limpopo	❖ Bela Bela
Limpopo	❖ Mokopane
Limpopo	❖ Polokwane
Limpopo	Tzaneen
Free State	❖ Bethlehem 1
Free State	❖ Bloemfontein (Waverley)
Free State	❖ Welkom
KwaZulu-Natal	Amanzimtoti
KwaZulu-Natal	Ballito
KwaZulu-Natal	❖ Berea
KwaZulu-Natal	❖ Bluff
KwaZulu-Natal	Gateway Shopping Mall
KwaZulu-Natal	Glenwood
KwaZulu-Natal	Hillcrest
KwaZulu-Natal	❖ Kloof
KwaZulu-Natal	Newcastle
KwaZulu-Natal	❖ Pietermaritzburg 1
KwaZulu-Natal	Pietermaritzburg 2
KwaZulu-Natal	❖ Pietermaritzburg 3
KwaZulu-Natal	❖ Richards Bay
KwaZulu-Natal	Umbilo
KwaZulu-Natal	❖ Umhlanga 1
KwaZulu-Natal	❖ Umhlanga 2
KwaZulu-Natal	❖ Westville
Eastern Cape	❖ East London
Eastern Cape	❖ Jeffrey's Bay
Eastern Cape	❖ Mthatha
Eastern Cape	❖ PE (Newton Park)
Eastern Cape	❖ Port Elizabeth 1
Eastern Cape	❖ Port Elizabeth 2
Northern Cape	❖ Kathu
Northwest	Lichtenburg
Northwest	❖ Potchefstroom
Northwest	❖ Rustenburg 1
Northwest	❖ Rustenburg 2

PROVINCE	AREA
Western Cape	❖ Bellville
Western Cape	❖ Bloubergstrand
Western Cape	❖ Bredasdorp
Western Cape	❖ Cape Gate
Western Cape	Century City
Western Cape	❖ George
Western Cape	❖ Great Brak River
Western Cape	Khayelitsha
Western Cape	❖ Milnerton
Western Cape	Newlands
Western Cape	❖ Observatory
Western Cape	❖ Oudtshoorn
Western Cape	❖ Paarl
Western Cape	Parow
Western Cape	❖ Plumstead
Western Cape	Rondebosch
Western Cape	❖ Stellenbosch 1
Western Cape	❖ Stellenbosch 2
Western Cape	Strand
Western Cape	❖ Strandfontein
Mpumalanga	❖ Evander
Mpumalanga	❖ Middelburg
Mpumalanga	❖ Nelspruit 1
Mpumalanga	❖ Nelspruit 2
Mpumalanga	❖ Piet Retief
Mpumalanga	❖ Schoemansdal
Mpumalanga	❖ Witbank 1
Mpumalanga	Witbank 2

Updated: 7 December 2021



❖ **Open locations are indicated in RED.**

❖ **Please note that the above locations may change without prior notice.**

Preferred AFIS Zone: \_\_\_\_\_

Preferred Date: \_\_\_\_\_

Preferred Time: \_\_\_\_\_

\_\_\_\_\_  
Applicant's Signature

**I, \_\_\_\_\_ (Director of the Agency), hereby confirm that I take note of the cancelation fee payable, should the applicant not make it to the booked slot.**

\_\_\_\_\_  
Director's Signature