

**THE REGISTRAR OF THE AGRICULTURAL PRODUCE AGENT'S COUNCIL
("COUNCIL")**

VS

STEPHANUS NICOLAAS STADLER

("the Accused")

On 8 June 2015 and at Pretoria, the Accused was found guilty of improper conduct (as defined in Section 23(a) and / or (c) of the Agricultural Produce Agent's Act, 12 of 1992 (the Act)) in that he -

1. failed to keep full and proper accounting records of, *inter alia*, all agricultural produce received, kept, sold and lawfully destroyed;
2. failed to issue sales notes after each sales transaction and before the produce was removed from his custody;
3. failed to make payment to his principals timeously;
4. sold fresh produce on the credit of his principals and without the prior written approval of the principal concerned
5. failed to act:
 - (a) honestly and conscientiously in the practising of his occupation;
 - (b) in the best interest of his principals; and
 - (c) with the required integrity and objectivity envisaged in the said Rule, and more particularly in that he fraudulently and/or intentionally, tried to conceal a trust shortage of fresh produce by creating fictitious sale notes, after the fresh produce was removed from his custody.

FINDING (SANCTION)

1. Mr Stadler's Fidelity Fund Certificate is withdrawn;
2. that Mr Stadler pay a fine of R100 000.00 (Hundred Thousand Rand);
3. that Mr Stadler pay the taxed costs, such costs include the following:
 - a. The fee of the Chairman of the Council, who is a Senior Counsel;
 - b. A member of the Council, who is an advocate;
 - c. The fee of Mr Chris Hattingh;
 - d. The fee of the prosecutor, who is an advocate;

- e. The fee of a candidate attorney;
- f. The rental amount for the use of the venue in which the tribunal was held;
- g. Travelling and board expenses of the members of the Council;
- h. The cost of APAC in conducting its report;
- i. The Cost in recording and transcribing the hearing.