

## **DISCIPLINARY PROCEEDINGS**

### **AGRICULTURAL PRODUCE AGENTS COUNCIL**

**vs**

**JS MATSAU TRADING (PTY) LTD**

**1<sup>ST</sup> ACCUSED**

**JOHN SECHABA MATSAU**

**2<sup>ND</sup> ACCUSED**

(Collectively and severally "the Accused")

On 14 May 2015 and at Pretoria, the 1<sup>st</sup> and 2<sup>nd</sup> Accused were found guilty of improper conduct (as defined in Section 23(a) and / or (c) of the Agricultural Produce Agents Council Act, 12 of 1992 ("the Act") read with Section 19(3)(c) and Rule 33.8(a) and Annexure D to the Rules, in that they –

1. failed to do proper reconciliations of their trust accounts;
2. failed to open and keep a trust account at a deposit-taking institution

### **SANCTION (FINDING)**

1. The Accused are suspended from acting as agents or conducting the business of a fresh produce agent until such time as a proper trust account is opened at a deposit-taking institution.
2. The Fidelity Fund Certificates of the Accused are withdrawn, which withdrawal is suspended for a period of 1 year upon on the basis that the 2<sup>nd</sup> Accused attend the ComSell 100, 200 and 300 courses within 6 months from date of hearing.
3. The Accused are fined, jointly and severally in the amount of R15 000.00, payable in equal instalments over a period of 3 years.
4. The 1<sup>st</sup> Accused is fined an amount of R15 000.00, payable in equal instalments over a period of 3 years.
5. The Accused are ordered to make a contribution towards the costs, jointly and severally in the amount of R50 000.00, payable in equal instalments over a period of 3 years.