

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

V

**1ST ACCUSED : NAZIR AHMED KARA t/a NEW AFRICA MARKET AGENTS
("New Africa Market Agents")**

2ND ACCUSED : MARIUS KARSTEN

On 29 November 2013 and at Brooklyn, Pretoria, the Accused were found guilty of unprofessional and improper conduct and acting in contravention of the provisions of the Agricultural Produce Agent's Act, No. 12 of 1992 ("the Act") in that :

1. the Second Accused was not the holder of a valid fidelity fund certificate, his fidelity fund certificate having lapsed when he ceased to act as an agent prior to his employment with the First Accused;
2. the Second Accused failed to keep full and correct accounting records of, *inter alia*, all agricultural produce received, kept, sold and lawfully destroyed, which failure resulted in a surplus of fresh produce on the floor not being properly accounted for.

SANCTION

1. The First Accused was ordered to pay a fine of R10 000.00 and to make a contribution of R15 000.00 towards APAC's costs.
2. The First Accused's fidelity fund certificate is withdrawn, which withdrawal is suspended for a period of 18 months, subject to the condition that the First Accused is not found guilty of a similar offence.
2. The Second Accused was ordered to pay a fine of R30 000.00, which fine is suspended for a period of 3 years, subject to the condition that he is not found guilty of a similar offence.

(254 words)