



# FRESH PRODUCE AGENCY

## REGISTRATION OF SALES PERSONNEL/ AGENTS

Email the completed form to [info@apacouncil.co.za](mailto:info@apacouncil.co.za) or fax it to **011 894 3761**

### CHECKLIST

### APPLICATION CHECKLIST

**KINDLY COMPLETE THE APAC ONLINE LEARNING FOR FRESH PRODUCE AGENTS MODULES 1 TO 4 AND THE EXAMINATION BEFORE YOUR APPLICATION WILL BE CONSIDERED**

Agency:

Surname and initials

Type of application: New registration application ☐ Transfer application ☐

#### IMPORTANT:

Ensure that all the documents required in the list below is attached to your application form. Failing to submit any or some of the documents **WILL** result in the application being rejected.

**Complete the checklist below to ensure your application is complete:**

FOR OFFICE USE ONLY				
ACCEPT	INCOMPLETE	NOT SUBMITTED	NOT CLEAR	SECTION/ DIRECTOR #



Have you attached the following documents:

1. Certified, clear copy ID?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Memorandum of understanding for the applicant?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. SmartScreen Indemnity Form for the applicant?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Criminal search for the applicant?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Has the applicant passed the APAC Online Learning ?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Market management confirmation/ appointment letter ?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Reference letter for applicant who previously worked at another agency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Proof of payment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### FOR OFFICE USE ONLY

Date received:  Y  Y  Y  Y  M  M  D  D

Date finalised:  Y  Y  Y  Y  M  M  D  D

Approval:

Administration Officer

Deputy Registrar

Registrar

**SECTION A****PARTICULARS OF APPLICANT**

Agency:

Title:

Initials:

Gender:

Female

Male

Surname:

Full names:

ID number:

Race:

African

Coloured

Indian

White

Other

Residential address:

Postal address: (If different from residential address)

City

Province

Postal code

Landline number:

Mobile number:

Email address:

Highest qualification obtained: (Please attached proof)

Have you previously worked at another agency?

Yes

Y

No

N

If yes, complete the following:

Agency:

Period of employment:

Years

Months

Tax reference number:

Have you ever been convicted of an Income Tax related offence?

**SECTION B****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 interest in other agricultural business?

Yes

☐

No

☐

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

☐

No

☐

Have you ever been sequestered?

Yes

☐

No

☐

Have you ever been rehabilitated?

Yes

☐

No

☐

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

Yes

☐

No

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

Yes

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No

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Have you at any time been convicted of an offence involving an element of dishonesty?

Yes

☐

No

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Have you ever, after an investigation in terms of Section 24 of Act 12 of 1992 been found guilty of improper conduct?

Yes

☐

No

☐

## SECTION C

## 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"/>

**SECTION C****NOMINATED MENTOR**

*Please note that this application will only be considered if a mentor has been nominated and appointed for the applicant, for a period of 12 months. After 12 months the nominated mentor must submit a letter to APAC, confirming that the applicant has the necessary knowledge and skills to always act honestly and with integrity, in accordance with the Agricultural Produce Agents Act, Act 12 of 1992 and the Rules for Fresh Produce Agents*

Title:	<input type="text"/>	Initials:	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>	Gender:	Female	<input type="checkbox"/>	Male	<input type="checkbox"/>		
Surname:	<input type="text"/>									
Full names:	<input type="text"/>									
ID number:	<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"/>						
Race:	African	<input type="checkbox"/>	Coloured	<input type="checkbox"/>	Indian	<input type="checkbox"/>	White	<input type="checkbox"/>	Other	<input type="checkbox"/>
Fidelity Fund Certificate Number:	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>	Designation within agency:							<input type="text"/>	
Landline number:	<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"/>								Mobile number:	<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"/>
Email address:	<input type="text"/>									

**SECTION D****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, Criminal 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

**Mentor:**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name in print

**Owner of agency:**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name in print

**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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**Kindly use this page if space is insufficient for answer above**

**Question** \_\_\_\_\_

**Kindly ensure this memorandum is signed by the applicant as well as the owner of the Agency**

**I, \_\_\_\_\_ (The applicant) certify that I have read and understand the Act, 12 of 1992, and the Fresh Produce Agents Rules.**

Applicant's Signature

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Date

**I, \_\_\_\_\_ (Director of the Agency), hereby confirm that I have thoroughly reviewed the information completed on the above Memorandum of Understanding (MOU). I furthermore confirmed that the necessary guidance and assistance was provided, as stipulated in Rule 3.2 of the Rules in respect of Fresh Produce Agents, in order to ensure that the MOU is correctly completed and a reflection of the legislative requirements applicable to fresh produce agents.**

Director's Signature

Date \_\_\_\_\_



## Processing Notification - Background Screening Request



## COMPANY DETAILS "Company"

To be completed by Company Agent

Company Name: Die Raad vir Lanbou Produkte Agente Email: admin1@apacouncil.co.za  
 Agent Name: Leticia Human Mobile No: 011 894 3680

## CANDIDATE PERSONAL INFORMATION

To be completed by the Candidate

Surname: \_\_\_\_\_  
 Full Names: \_\_\_\_\_ Maiden Name: \_\_\_\_\_  
 Mobile Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
 ID Number / Identifier: \_\_\_\_\_  
 Description of Identifier: \_\_\_\_\_  
 E.g. South African ID Number, Zimbabwean Passport Number, etc.

## BACKGROUND SCREENING CHECKS

To be completed by the Company Agent

<input checked="" type="checkbox"/> Credit Check	<input type="checkbox"/> Sanctions
<input type="checkbox"/> Qualification	<input type="checkbox"/> Identity Verifications
<input type="checkbox"/> Employment References	<input type="checkbox"/> Insurance Regulations
<input checked="" type="checkbox"/> Criminal Checks	<input type="checkbox"/> Drivers license & Vehicles
<input type="checkbox"/> Fraud Check	<input type="checkbox"/> Social Media Screening Checks

## DEFINITIONS

- ✓ "Candidate" means the person on whom the Company will process background screening checks for lawful purposes including but not limited to employment/ continuation of employment;
- ✓ "Company" refers to MIE Client;
- ✓ "Consumer Credit Information" shall have the meaning ascribed to it in section 70 of the NCA;
- ✓ "FAIS Act" shall mean the Financial Advisory and Intermediary Services Act of 2002;
- ✓ "FSCA" refers to the Financial Sector Conduct Authority;
- ✓ "NCA" shall mean the National Credit Act, No. 34 of 2005, as amended from time to time, including any regulations made under the Act;
- ✓ "Personal Information" shall have the meaning ascribed to it in Chapter 1 of POPI and includes, but is not limited to a name, address, email address, telephone or fax number, fingerprints, criminal history and education or other personal credentials provided, or which is collected from the candidate or other third parties, before and/or during the background screening process and/or thereafter;
- ✓ "POPI" shall mean the Protection of Personal Information Act, No. 4 of 2013, as amended from time to time, including any regulations made under the Act;
- ✓ "Privacy and Data Protection Conditions" refers to the 8 (eight) statutory prescribed conditions for the lawful Processing of Personal Information;
- ✓ "Responsible Parties" have meaning to the Company and MIE together, and "Responsible Party" any one of them;
- ✓ "Verification Information Suppliers" shall mean third parties acting on behalf of MIE, including, but not limited to, criminal record bureaus, credit bureaus, governmental bodies, and any educational, training, and fraud prevention organisations;

## ACKNOWLEDGMENT OF THE USE OF PERSONAL INFORMATION

- I acknowledge
- ✓ that the Company's duly authorized verification agent, Managed Integrity Evaluation (Pty) Ltd ("MIE"), will need to process my Personal Information to conduct background screening checks as indicated above which are required by the Company.
  - ✓ that verification requests form part of the background screening process and that:
    - ✓ requests for credit information from Credit Bureaus will only be conducted under the regulations defined as per the NCA and for the below prescribed purposes only;
    - ✓ For employment in a position of trust and honesty and entails the handling of cash or finances;
    - ✓ Fraud prevention or detection.
  - ✓ data obtained from the FSCA serve only for the purpose to determine the fitness and propriety as envisaged in the FAIS Act.
  - ✓ that any Personal Information supplied to the Company is provided voluntarily and is accurate and current as the Company may not be able to comply with its obligations if the correct Personal Information is not supplied to the Company, I further agree to correct and update such information when necessary;
  - ✓ that privacy is important to the Responsible Parties and the Responsible Parties will use reasonable efforts in order to ensure that any Personal Information in their possession or processed on their behalf is kept confidential, stored in a secure manner, and processed in terms of South African law and or applicable Data Protection Legislation, for the purposes I have authorised.
  - ✓ that all information, including Personal Information, supplied to the Company is accurate and current and agree to correct and update such information when necessary.
  - ✓ may be shared by the Company with MIE and may be further shared by MIE with the Verification Information Suppliers for verification or other legitimate purposes;
  - ✓ may be shared by the Verification Information Suppliers with MIE and be further stored and shared by MIE with the Company and Fraud databases or services when the information provided for verification is deemed fraudulent by the Verification Information Suppliers for purposes of continued or future employment or for other legitimate purposes as per the NCA or other National or Provincial Legislation;
  - ✓ may be stored by MIE, for legislated retention periods and where such periods are not legislated then my personal information may be stored by MIE for as long as the information may be needed for verification purposes, or any other period as I may agree with the MIE. and
  - ✓ Personal Information may be transferred cross-border to countries, for verification or storage purposes. In any cross-border transfer of personal information MIE will comply with the security safeguards as provided for in the POPIA including but not limited to ensuring that the information is secured when transported to or from the recipient.
  - ✓ I take note that if the Responsible Party has utilised the Personal Information contrary to the Privacy and Data Protection Conditions, I may first resolve any concerns with that Responsible Party. If I am not satisfied with such process, I have the right to lodge a complaint with the Information Regulator.
  - ✓ A copy of Personal Information kept by the Responsible Parties will be furnished to me upon request in terms of the provisions of POPI or the NCA and I understand that I may dispute any information in the record provided.
  - ✓ "I agree that MIE, to the extent permitted by law, will not be liable for any complaint, claim or action brought by me, arising from any action or omission by MIE, to the extent that such action or omission resulted from MIE complying with the terms of this agreement and I shall indemnify, hold harmless and defend MIE from and against any such claims or actions brought against MIE."

	CANDIDATE	COMPANY AGENT
SIGNATURE		
DATE		

All signatories to this document agree that MIE will NOT be held liable for the content, factual correctness or accuracy of any Supplier Data supplied to MIE for the Company by MIE's suppliers. The Company and the Candidate hereby indemnifies and holds MIE harmless against any loss arising from neglect or damage in procuring, communicating, or failing to communicate information to the Company.

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 cancelation 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 cancelation 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 **cancelation 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	❖ Meyerton
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:

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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.

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Director's Signature