

DISCIPLINARY PROCEEDINGS

THE REGISTRAR OF THE AGRICULTURAL PRODUCE AGENT'S COUNCIL

("the Council")

V

1. **SAMUELS AND SONS FRUIT AND VEG CC**
(**"Samuels and Sons Market Agents"**)
2. **ABDULRAHMAN SAMUELS**
3. **FATIMA SAMUELS**
(Collectively and severally **"the Accused"**)

On 01 March 2017 and at Weavind & Weavind, 361 Oberon Street, Faerie Glen, Pretoria, the Accused were found guilty of:

- (i) improper conduct (as defined in Section 23(a) and / or (c) of the Act) read with Sections 18(2) and/or 19(5) and Rules 33.4, 33.5(b) and 33.6 and Annexure **"C"** to the Rules, in that they failed to or failed to cause their auditor to compile, prepare and deliver to the Council within the prescribed period an annual report in the form as set out in Annexure **"C"** to the Rules for the financial year ending on the last day of February 2016, and;
- (ii) improper conduct (as defined in Section 23(a) and / or (c) of the Act) read with Rules 33.5(a) and 33.6 and annexure **"B"** thereto, in that they failed to or failed to cause their auditor to compile, prepare and deliver to the Council within the prescribed period an interim report in the form as set out in annexure **"B"** to the Rules which report was due before 31 December 2015.
- (iii) guilty of improper conduct (as defined in Section 23(a) and / or (c) of the Act), read with Section 16(9)(a) and Rule 14, in that they failed to make due and full payment of the annual fee calculated by and payable to APAC for the maintenance of the fidelity fund certificate, which conduct amounts to unprofessional and/or improper conduct within the meaning of Section 26 of the Act.

SANCTION (FINDING)

1. The Accused Fidelity Fund Certificate No. 1102 is withdrawn.
2. The Accused is ordered to pay the taxed or agreed costs of the proceedings.

(310 words)