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AGRICULTURAL PRODUCE AGENT'S COUNCIL ("APAC") / FINE BROTHERS (PTY) LTD REGISTRATION NUMBER 1996/012982/07 (1ST ACCUSED) VIVIAN ENGELBRECHT (2ND ACCUSED) GARY WILLIAMS (3RD ACCUSED) AND TANYA MARIA COX (4TH ACCUSED)

On 16 February 2021 and at Pretoria, **FINE BROTHERS (PTY) LTD REGISTRATION NUMBER 1996/012982/07 (1st Accused) VIVIAN ENGELBRECHT (2nd Accused) GARY WILLIAMS (3rd Accused) and TANYA MARIA COX (4th Accused)**, the Second and Third Accused were found guilty of unprofessional and improper conduct by contravening the provisions of the Agricultural Produce Agent's Act, No. 12 of 1992 ("the Act") and the Rules promulgated thereunder in that :

1. there were shortages in the agricultural produce stock of the Fine Brothers (Pty) Limited, First Accused and the said produce stock which formed part of the First Accused's trust account was not properly accounted for;
2. they sold fresh produce on the credit of their principals without the written approval;
3. they failed to issue valid sales notes in accordance with Rule 23(2) after each sale transaction and before the fresh produce concerned was removed from the accused's custody.

SANCTION

After hearing argument, the Disciplinary Tribunal of APAC imposed the following sanction on the Second and Third Accused, jointly and severally:

- (i) A fine of R50,000.00 of which R30,000.00 is suspended for 3 years on the condition that the Accused are not found guilty of a similar offence.
- (ii) The Second and Third Accused must attend APAC's online training course within 6 months from 16 February 2021.