

DISCIPLINARY PROCEEDINGS

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

V

NICO ANTONIOU

On 07 September 2015 and at Pretoria, the Accused was found guilty of the following charges:

CHARGE

During on/or about 31 July 2014 to 24 February 2015 and at the Port Elizabeth Fresh Produce Market, the Accused made himself guilty of improper conduct [as defined in Section 23(a) and/or (c) of the Act] by contravening Rule 2 and 11 as promulgated in terms of the Act, in that he failed to act:

- a) honestly and conscientiously in the practising of his occupation;
- b) in the best interest of his principals; and
- c) with the required integrity and objectivity envisaged in the said Rule;
- d) and behave in such a manner or nature with the Market Authority to foster cooperation and good relations.

More particularly in the following respects:

- i) The Accused fraudulently and/or intentionally, caused card number 5361, registered with the Port Elizabeth Fresh Produce Market, to be credited with certain amounts totalling R2,6 million without such money factually being paid over to the market.
- ii) Subsequent to the abovementioned, certain purchases, made on the above mentioned buyers card, were authorised and paid out by the

Market Authority, totalling an amount of R2.6 million, without such amounts factually being held in the Market Authority's account.

The following sanction was imposed against the Accused.

1. The accused's Fidelity Fund Certificate be withdrawn.
2. The accused be liable to pay a fine in the amount of R70 000.00 (seventy thousand rand), to the Agricultural Produce Agent's Council.
3. The accused be held liable to make a contribution towards the Agricultural Produce Agent's Council's costs in the amount of R50 000.00 (fifty thousand rand).
4. The contribution towards costs and the fine shall be payable by way of equal monthly instalments in the amount of R5 000.00 (five thousand rand) each together with interest calculated at the prescribed rate of interest, the first payment to be made on/or before 30 September 2015 with the understanding that the entire outstanding amount plus interest thereon shall become immediately due and payable should the accused fail to make any payment on the due date therefor.

[365 words]