



FRESH PRODUCE AGENCY

NEW AGENCY APPLICATION FORM

Email the completed form to admin@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

IN CONJUNCTION WITH THE ABOVE, KINDLY LIAISE WITH AN AGENCY AND APAC TO ARRANGE FOR A MENTORSHIP PROGRAMME TO TAKE PLACE

Trade name:

Type of application:

New agency application

Change in ownership 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 #
✓				
<input type="checkbox"/>				
<input type="checkbox"/>				
<input type="checkbox"/>				
<input type="checkbox"/>				
<input type="checkbox"/>				
<input type="checkbox"/>				
<input type="checkbox"/>				
<input type="checkbox"/>				
<input type="checkbox"/>				
<input type="checkbox"/>				
<input type="checkbox"/>				
<input type="checkbox"/>				

Have you completed **ALL** information required by **Sections A to G**?

Have you attached the following documents:

1. CIPC/ CIPRO Registration certificate?
2. Market management confirmation/ appointment letter ?
3. Reference letter for owners who previously worked at another agency?
4. Have **Annexure A** been completed for **ALL** the listed entity owners?
 - 4.1. Certified, clear copy ID's of each of the entity owners?
 - 4.2. Certificate of highest qualification obtained
 - 4.3. Memorandum of understanding for each of the entity owners (**Annexure B**)?
 - 4.4. SmartScreen Indemnity Form for each of the entity owners (**Annexure C**)?
 - 4.5. Have all the entity owners completed and passed the APAC Online Learning ?
- 6 Proof of payment?

FOR OFFICE USE ONLY

Date received:

Y	Y	Y	Y	M	M	D	D
---	---	---	---	---	---	---	---

Date finalised:

Y	Y	Y	Y	M	M	D	D
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Approval:

Administration Officer

Deputy Registrar

Registrar

SECTION A**PARTICULARS OF APPLICANT (AGENCY)****GENERAL INFORMATION**Trade name:

Will the agency operate on a Municipal Fresh Produce Market?

Yes No If yes, please indicate the Market: *Attach market consent letter to the application form when submitted*

Date on which the agency will start to operate:

Y	Y	Y	Y	M	M	D	D
---	---	---	---	---	---	---	---

AGENCY CONTACT DETAILS

Physical address:

City Province Postal code

Landline number:

Administration email address:

Website address:

Postal address: (If different from physical address)

City Province Postal code

Fax number:

ENTITY INFORMATION*Ensure that the information agrees with your CIPC/ CIPRO/ Trust deed documents*Registered name:

Entity type:

Company Close Corporation Partnership Trust Sole Owner Co-operative

Registration date:

Y	Y	Y	Y	M	M	D	D
---	---	---	---	---	---	---	---

Financial year end:

Registration number:

SECTION B**PARTICULARS OF ENTITY OWNERS****IMPORTANT:**Complete the list of entity owners (Directors/ Members/ Trustees/ Etc.) together with **Annexure A**.Annexure A **MUST BE COMPLETED** for **EACH** of the individuals listed.The individuals listed below **MUST** agree with your CIPRO/ CIPC/ Trust deed certificate

#	Title	Initials	Surname	ID number
1.	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
2.	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
3.	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
4.	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
5.	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

#	Title	Initials	Surname	ID number
6.	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
7.	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
8.	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
9.	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
10.	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

SECTION C

TRUST ACCOUNT INFORMATION

Bank: Branch number:

Branch name:

Bank account number:

Bank account name:

Date account was opened:

SECTION D

AUDITOR'S INFORMATION

Name of audit firm:

IRBA registration number:

Name and surname of auditor:

Landline Number: Fax Number:

Email address:

SECTION E

BEE

Has an independent BEE verification been done on the agency? Yes No

If yes, what rating was obtained? Level - Kindly provide a copy of the certificate

If no, when will the verification be done?

SECTION F

SARS DETAILS

Tax registration number:

VAT registration number:

SECTION G

ACKNOWLEDGEMENT BY APPLICANT

I, _____ being an authorised representative of the applicant(agency) hereby declare as follows:

- a) 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, 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;
- c) I do understand that my occupation requires honesty in handling of cash on behalf of producers.

Signed at _____ on this _____ day of _____ 20 _____

Signature

ANNEXURE B **PARTICULARS OF ENTITY OWNERS**

IMPORTANT: COMPLETE THIS FORM FOR EACH OF THE ENTITY OWNERS

Owner number: (e.g. 1)

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

City

Province

Province

Postal code

Postal code

Landline number:

Mobile number:

Email address:

Highest qualification obtained: (Please attached proof)

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 interests in other agricultural business? Yes Y No N

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 Y No N

Have you ever been sequestered?

Yes Y No N

Have you ever been rehabilitated?

Yes Y No N

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

Yes Y No N

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

Yes Y No N

Previous experience:

Particulars of employment during the last 5 years:

From	To	Employer	Industry
	-		
	-		
	-		
	-		
	-		

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, 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

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?

2. What monies should be paid into an Agency's Trust Account?

PART B: CODE OF CONDUCT

3. What does the Code of Conduct specify regarding an Agent's knowledge and skills?

4. When can an agent claim remuneration at a higher rate or scale?

5. Can an Agent accept gifts from buyers, farmers or a third party?

6. On what conditions, may an Agent canvas for new business?

7. When should the fresh produce received, be recorded on the system and what information should be recorded on the system?

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?

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?

10. How often must an Agent provide accounting sales reports to principals via fax, email, etc?

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?

PART D: WHAT CAN THE DISCIPLINARY TRIBUNAL SANCTIONS BE, IF AN AGENT IS FOUND GUILTY OF IMPROPER CONDUCT (SEE SECTION 26 OF THE ACT)?

PART D: WHAT IS THE PURPOSE OF THE MARKET REGULATIONS/BYLAWS?

Annexure C1**CRIMINAL SEARCH**

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 cancellation 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.

Province	Area
Eastern Cape	East London x 2
Eastern Cape	Humansdorp
Eastern Cape	Jeffrey's Bay
Eastern Cape	Mthatha
Eastern Cape	Newton Park (PE) x 2
Eastern Cape	Port Elizabeth (Central)
Eastern Cape	Port Elizabeth (Walmer)
Free State	Bethlehem
Free State	Bloemfontein (Waverley)
KwaZulu-Natal	Amanzimtoti
KwaZulu-Natal	Ballito
KwaZulu-Natal	Berea
KwaZulu-Natal	Bluff
KwaZulu-Natal	Durban North
KwaZulu-Natal	Durban (Point)
KwaZulu-Natal	Glenwood
KwaZulu-Natal	Hillcrest
KwaZulu-Natal	Umbilo
KwaZulu-Natal	Pietermaritzburg x 3
KwaZulu-Natal	Richards Bay
KwaZulu-Natal	Umhlanga x 2
KwaZulu-Natal	Westville x 2
Limpopo	Bela Bela
Limpopo	Polokwane
Limpopo	Tzaneen
Mpumalanga	Evander
Mpumalanga	Middelburg
Mpumalanga	Nelspruit x 2
Mpumalanga	Piet Retief
Mpumalanga	Schoemansdal
Mpumalanga	Secunda
Mpumalanga	Witbank x 2
North West	Brits
North West	Klerksdorp
North West	Rustenburg x2

Province	Area
Northern Cape	Kimberley
Northern Cape	Upington
Western Cape	Bellville
Western Cape	Bloubergrand
Western Cape	Cape Town CBD
Western Cape	Century City
Western Cape	Durbanville
Western Cape	George
Western Cape	Great Brak River
Western Cape	Milnerton
Western Cape	Newlands
Western Cape	Observatory
Western Cape	Oudtshoorn
Western Cape	Somerset West
Western Cape	Stellenbosch x 2
Western Cape	Strand
Western Cape	Tygervalley
Western Cape	Worcester
Gauteng	Alberton
Gauteng	Bedfordview
Gauteng	Benoni x 2
Gauteng	Bramley
Gauteng	Bryanston x 2
Gauteng	Carletonville
Gauteng	Centurion x 5
Gauteng	Daveyton
Gauteng	Edenvale
Gauteng	Fourways/Pineslopes
Gauteng	Garsfontein
Gauteng	Germiston
Gauteng	Glenvista (JHB South)
Gauteng	Greenside
Gauteng	Isando
Gauteng	Johannesburg
Gauteng	Kempton Park

Province	Area
Gauteng	Krugersdorp
Gauteng	Lenasia
Gauteng	Lonehill
Gauteng	Midrand
Gauteng	Monument Park
Gauteng	Northcliff
Gauteng	Orlando East (Soweto)
Gauteng	Ormonde
Gauteng	Parkmore
Gauteng	Parktown x 2
Gauteng	Pretoria CBD
Gauteng	Pretoria North
Gauteng	Randburg
Gauteng	Randpark Ridge
Gauteng	Rivonia
Gauteng	Sandton
Gauteng	Selby
Gauteng	Springs
Gauteng	Waverley

Preferred AFIS Zone: _____

Preferred Date: _____

Preferred Time: _____

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.

Director's Signature