



**MINUTES OF THE 81th ANNUAL GENERAL MEETING
OF THE METAL RECYCLERS ASSOCIATION
HELD ON 27 SEPTEMBER 2023
AT THE NICOL HOTEL**

Present: Quintin Starkey – Star Recycling Company Chairperson
Mike Wilson – Fine Metals Vice Chairperson
Monique de Jager – Gauteng Metal Recyclers Treasurer
Rachelle Bezuidenhout Association Secretary

Member Company

Cronimet (RSA) (Pty) Ltd
Cronimet
CL Holdings
Envirocycle
Grid Metals
Grid Metals
Honeydew Metal Recycling
Ingwenya Recycling
Kwanda Resources
Metbin Metal Trading
MRS Scrap Holdings
Mnacane Metals
NN Metals
Power Metals Recyclers – Wadeville
SA Metals
Speciality Metals (Pty) Ltd
The Reclamation Group

Represented by

Bernard Maguire
Dominic Maguire
Juan Patuel (proxy Andrew)
N. D. Dhaver
Graham Cromme
Tim Schiel
Lisa Steenkamp
Jacques Kaufman
Damian Buckley
Gavin Morgan
Stephan Mynhardt (proxy Chair)
Mancane Sibaya
P. J. J. Human
Larry Waisman
Rafael Barnett
Andrew Kilmartin
Albertus Nel

Invited Guests

None

Apologies: None

The Chairman introduced himself and said it was his privilege to chair this Annual General Meeting as Chairman. He complimented all present for being here and for using this forum to hear firsthand of issues being addressed by the Exco and to use the opportunity to raise matters of concern.

A quorum was present, and all compliance criteria had been met.

1. NOTICE CONVENING THE MEETING

The Notice of Meeting, having previously been circulated to all members, was accepted as having been received on due date.

2. CONFIRMATION OF THE MINUTES OF THE 80th ANNUAL GENERAL MEETING

All members had received by email Minutes of the 80th AGM.

Proposed: Andrew Kilmartin
Seconded: Lisa Steenkamp

3. **MATTERS ARISING FROM THE MINUTES OF THE 80th ANNUAL GENERAL MEETING**

There were no matters arising from the 80th Annual General Meeting.

4. **CHAIRPERSON'S REPORT**

The Chairperson's report is appended to these Minutes and forms part of the Minutes.

Proposed: Gavin Morgan
Seconded: Graham Cromme

5. **VICE CHAIRPERSON'S REPORT**

The Vice Chairperson's report, having been included in the delegates' packs, is appended to these Minutes and forms part of the Minutes.

Proposed: Andrew Kilmartin
Seconded: Rafael Barnett

6. **TREASURER'S REPORT**

The Treasurer's report is appended to these Minutes and forms part of the Minutes.

Proposed: Mancane Sibaya
Seconded: Shawn

7. **FINANCIAL STATEMENTS FOR THE YEAR ENDED 31ST MARCH 2023**

The Associations financials is available on request from the Association Secretary.

Proposed: Bernard Maguire
Seconded: Mancane Sibaya

8. **APPOINTMENT OF AUDITORS**

The reappointment of auditors Bernard Levine, Bismilla & Associates for the 2023/2024 year of account was confirmed.

Proposed: Mike Wilson
Seconded: Andrew Kilmartin

9. **APPOINTMENT OF ASSOCIATION SECRETARY**

The appointment of Mrs Rachele Bezuidenhout to the Association was confirmed.

Proposed: Lisa Steenkamp
Seconded: Mancane Sibaya

10. **APPOINTMENT OF EXECUTIVE COMMITTEE**

Nominations were received for the new term of office.

The following members were elected to serve the next term of office:

Rafael Barnett	S A Metal Group (Pty) Ltd
Monique de Jager	Gauteng Metal Recyclers
Andrew Kilmartin	Speciality Metals
Stephan Mynhardt	MRS Scrap Holdings
Dominic Maguire	Cronimet (RSA) (Pty) Ltd
Quintin Starkey	Star Recycling Company
Lisa Steenkamp	Honeydew Metal Recycling

Stephan Pretorius
Mancane Sibaya
Graham Comme

Envirocycle
Mnacane Metal Scrap Yard
Grid Metals Co-opted – Trade

There was no need to vote as there were only nine members willing to stand. No objections were received to not to follow the process.

The Executive will designate members to the Chair, Vice Chair and Treasury at the first Executive Committee Meeting following the AGM.

Proposed: Shawn
Seconded: Jacques Kaufman

11. **GENERAL**

11.1 **Annual Subscription: 2023/2024**

Fees agreed to change to R6 000 excl.

Proposed: Monique De Jager
Second: Gavin Morgan

11.2 **Legal Matter update**

The MRA has withdrawn from the matter. No legal matters pending.

11.3 **MRA Future Prospects**

There was a unanimous decision to maintain the MRA's status until we have more clarity in 9 months' time. The newly appointed exco will try to preserve the MRA.

Proposed: Mike Wilson
Second: Graham Comme

12. **CLOSURE**

There were no questions from the floor.
Meeting closed at 15h10.

Confirmation of the minutes

These minutes are a true and accurate record of the meeting.

Signed by:

Quintin Starkey
Chairman

Mike Wilson
Vice Chairman

Monique de Jager
Treasurer

Chairman's Report – 27 September 2023

Longing for the best of times

In his novel, *A Tale of Two Cities*, Charles Dickens famously wrote:

"It was the best of times, it was the worst of times, it was the age of wisdom, it was the age of foolishness, it was the epoch of belief, it was the epoch of incredulity, it was the season of light, it was the season of darkness, it was the spring of hope, it was the winter of despair."

To paraphrase the above:

It was the worst of times (10 years of PPS and other forms of trade restrictions), it was the age of foolishness (Mr Patel's irrational attempts to close the MRA down), it was the epoch of incredulity (the fact that we have a ban on scrap where supply outstrips demand), it was the season of darkness (literally, South Africa and industry have been left reeling with national wide blackouts), it was the winter of despair (The industry seems to have lost its voice with government, with every comment or request completely ignored)"

The recycling industry could certainly do with some of the best of times. For the last decade, the industry has endured an onslaught by DTIC (Mr Patel) and ITAC (administrative red-tape) as never seen before. Certainly not in my 23 years on the MRA EXCO. The last year has been particularly difficult, with some notable events:

1. In November 2022 the MRA advised DTIC against the then proposed similar export ban, as a blunt instrument that was unlikely to yield any benefit in respect of curbing criminal activities, but that would cause harm to legitimate scrap metal trade activities - instead, the MRA proposed a number of other measures to effectively including:
 - the immediate elimination of cash as a trade medium for scrap metal transactions;
 - increased policing via the establishment of specialized police units;
 - the implementation of effective measures for the export of copper ingots.
2. Gazette 11593 of 15 June 2023, notice no 48791, announced the immediate ban in the export of copper scrap metal, ferrous scrap metal and ferrous ingots, for a further period of 6 months (a previous similar ban existed 01.12.2022 – 31.05.2023), ostensibly to prevent infrastructure theft. The efficacy thereof is still up for debate, depending on which side of the fence you are arguing.

The notice above specifically exempts stainless steel scrap and manufacturing sector ferrous scrap from the ban and consequently manufacturing sector derived ferrous (steel and iron) scrap metal may be exported, but still subject to the current Price Preference System, payment of a 20% export tax and very significantly, the applicant successfully convincing ITAC, and its committee, of the metals' origin (in itself a complex and lengthy process involving affidavits, photographs and customer supply invoices).

3. Gazette Notice 3738 of 31 July 2023, notice no 49057, announced the extension of the PPS for a further 4 years. None of the MRA's comments, and that of industry, were taken into consideration by DTIC.
4. Gazette Notice 3706 of 26 July 2023, notice number 49027, was the proposal to further restrict the export of sopper semi-finished product and the temporary ban to export used or second-hand rails. Comments for the above were extended on Gazette Notice 3789 of 14 August 2023, notice 49115 until the 23 August 2023. Until now, the MRA is not aware of any further developments in this regard.

The MRA exco will continue to keep members abreast on any further developments relating to the above or in the future.

From a training and awareness perspective, Lisa Steenkamp made significant attempts, along with CPI (Combined Private Investigations), to facilitate a workshop, inviting the minister of police, media, recycling industry and the manufacturing industry to attend the workshop in order to better educate the various role players. She had positive feedback from all but one, the minister of police. Unfortunately, without the main protagonist buy-in, this would have been a futile exercise and the event was abandoned until further notice.

I would like to thank Lisa for her attempts and hope future events may come to pass which would be beneficial for all.

BIR continues to be a helpful association for the MRA. They have submitted comments on some of the proposed Gazettes and the platform affords networking opportunities with other associations around the world. I would encourage the incoming EXCO to maintain this relationship to ensure the South African recycling industry is represented on a global stage.

So, where to from here. I have dedicated the better part of 20+ years to the association and the industry. These trying times call for new direction and leadership of the MRA to navigate *the worst of times*. No doubt the best of times may still lie ahead of us, which will need an exco resolute on taking these challenges head on. Despite these challenges, the preservation of an 81 year old association should be of utmost importance, both for the members and the EXCO.

A handwritten signature in black ink, consisting of several overlapping loops and a horizontal line at the bottom, identifying the author as Quintin Starkey.

Quintin Starkey
Outgoing chair – 27 September 2023

Vice Chair report 2023

Thank you Exco colleagues – particularly Quintin; Monique; Andrew and Bernard.

Following on from my 2022 vice-chair report:

State Attorney cost award against the MRA arising from the 2013 legal matter: capital sum R1.147m paid 14-Oct-22, but the interest has not been paid (R575 000 @ Feb-22) – interest continues to accrue interest thereon and through attorneys Shepstone & Wylie, we have repeatedly communicated to the State Attorney, that the MRA is not in a position to settle this interest.

The additional cost claim by Min Patel from the same 2013 legal matter, was presented by Webber Wentzel on 31 May 2023 in the amount of R2 868 141.67. Shep Wylie have similarly advise Webber Wentzel that the MRA is incapable of settling this fee, but Min Patel is determined to follow through with this claim and taxing date of 2nd July 2024 has been set.

Shep Wylie also advises that approximately R1m of this claim is inadmissible and whilst the exco took the decision not to formally oppose the presentation of these costs due to such an exercise incurring legal fees of R150 – R200k, Shep Wyle have filed a note to this effect with the taxing master. The exco has repeatedly been advised by Shep Wylie that members, including elected office bearers, cannot be held personally liable for association debts and despite the clouds overhead, the association has managed to survive another year in relative normality.

Founded in 1942, the MRA substantially predates all current government officials time in office and I believe that with the correct management, it has a good chance of out living all current government officials active service. Consequently, notwithstanding the related discussion on the subject to follow under general of this meeting, my recommendation is for members to preserve the association for active duty at a future date when actions are not hampered by parties currently occupying seats of power, provided such preservation does not cost members any extraordinary levy amounts.

As advised in my 2022 vice-chair report, this twentieth year of service to the MRA exco has been my final term of office, but I will make myself available to consult with the new exco if required.

Mike Wilson
Vice Chairman

TREASURERS REPORT 2023

1. MEMEBERSHIP UPDATE

Subscription Invoices issued in the 2022/2023 Cycle: 72

Subscription Invoices issued in the 2023/2024 Cycle: 75

Current Active Members: 72

1.1 We welcome the following members who joined the MRA since our last AGM:

- Mnacane Metal Scrap Yard
- FDM Recyclers
- Aluminium Granulated Products

1.2 We currently have no new applications for membership.

1.3 The following membership's has been terminated, since the last AGM:

- Afro India Recyclers
- SWAN Metal Recyclers
- Central Waste

1.4 Two members resigned since the last AGM.

- Industrial Scrap Metals
- Nieuwco in Mpumalanga

2. INSPECTIONS

We continue to carry out our Inspection process, via our Virtual system.

2.1 Inspection Update:

Total Number Yard to be Inspected for the Current Period: 126

Number of Yards that have completed the Inspection Process: 58

We remind all members that if you have not completed the Virtual Inspection process, by not submitting all the relevant requirements, that you are currently non-compliant members. We urge you to arrange that the Virtual process be completed urgently.

3. ANNUAL FINANCIAL STATEMENTS – 31 MARCH 2023

3.1 Revenue:

YEAR	MEMBERSHIP FEES	YARD INSPECTIONS	OTHER	TOTAL
2022	R736 087	R30 000	R280 500	R1 046 587
2023	R916 143	R30 750	R291 000	R1 237 893

Other income refers to Joining Fees, which were invoiced, and the agreed upon Special Levy (Part 2) for Legal expenses.

The MRA also accumulated an investment revenue of R35 832.

3.2 Operating Expenses:

2022	R1 478 929
2023	R1 563 642

Noted Operating Expenses:

Consulting Fees – Fees were reduced to R253 500 for the Financial Year, due to the termination of XA Advisory services.

Legal Expenses – Payable to Shepstone & Wylie (R206 831), were settle via the Special Levy.

Nett Loss of – R289 917

4. PROPOSALS

4.1 Fees 2024:

As a result of reduced operating expenses projected for the next financial year, proposal of fees to be reduced to R6000 (excl VAT) per member per annum. The incoming exco to discuss if payment to remain quarterly.



Monique de Jager
Treasurer