



**APPLICATION FOR THE ISSUE OF A WARRANT IN TERMS OF SECTION 8(1) OF  
THE ANIMALS PROTECTION ACT 71 OF 1962**

**SUPPORTING AFFIDAVIT**

I, Louise van Zyl, hereby make oath and declare in English as follows:-

**1.**

I am an adult female employed as an Inspector Manager by the Swartland and West Coast Society for the Prevention of Cruelty to Animals ("SPCA") at Plaas Eenzaamheid on the R45 In Vredenburg with contact telephone number/s 022 289 0998 or 066 477 9094. My certificate of magisterial authority for this district is attached marked "A".

**2.**

The facts contained in this affidavit fall within my personal knowledge unless indicated otherwise or unless it appears so from the context. The facts are also, to the best of my knowledge and belief, both true and correct.

**3.**

In terms of my duties as an officer of the SPCA and our objects, especially to prevent the ill-treatment of animals, I may, where necessary, exercise the powers in terms of Section 8 read with section 5(1) of the Animals Protection Act 71 of 1962 pertaining to the search, seizure and destruction, where necessary of animals. I verily believe that it is necessary for me to make use of the powers provided for by the Animals Protection Act 71 of 1962 by virtue of the following circumstances.

**4.**

On 13 March 2023 the Swartland and West Coast SPCA received a complaint regarding 2 thin dogs that were tied with short chains at the property nr 137 Lyster Street, Hopland, Vredenburg.

*2/2*

have been living like that for 5 years and that she will keep them like that because there is nothing wrong. We then left the property.

**9.**

I have reason to believe that one or more offences listed in Section 2 of the Animals Protection Act 71 of 1962 have been and are being committed for the following reasons:

**9.1**

The dogs on the property are underweight and tied to short chains and living in parasitic conditions. I am of the reasonable view that this is an offence in terms of Section 2(1)(a), 2(1)(b), 2(1)(c) and 2(1)(e) of the Animals Protection Act no 71 of 1962 and that the dogs are neglected and denied adequate food and tied in such a manner that causes them unnecessary suffering and they cannot express normal behaviour.

**10.**

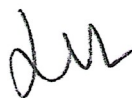
I therefore request a warrant in terms of section 8(1) of the Animals Protection Act 71 of 1962 and Regulation 468 (where appropriate) to examine the conditions in which the aforesaid animal is kept and if necessary remove the aforesaid animal to prevent further suffering.

**11.**

I request that such a warrant authorise members of Law Enforcement and the SAPS to accompany me upon such examination.

**12.**

In addition, the SPCA requires to take photographic and / or video footage, and take into custody all / any evidence and / or equipment as may be reasonably necessary for the purpose of prosecution and, if necessary, may exercise its powers in terms of section 5(1) of the Animals Protection Act 71 of 1962.



**5.**

On 13 March 2023 my colleague Patrick Chiwawa went to the property nr 137 Lyster Street, Hopland, Vredenburg. There was no one at home. The neighbour who lives at 135 Lyster street came out and advised that the owner of the dog Felicia was not at home and that she was at work at OK Mini Market in Vredenburg. Patrick could see the dogs from the road. There were 2 dogs chained with short chains. The brown and white dog was chained to the fence. The brindle dog was chained to a fence on the other side of the property. They were both very thin and had no access to food or water. He issued a notice to comply:

To remove both dogs from the short chains and provide them with longer chains or a running chain

- Provide water for the dogs on a daily basis
- Provide adequate shelter for both dogs
- Improve the body condition for both dogs and provide them with adequate food

**6.**

On 16 March 2023 Patrick went to the OK Mini Market in Vredenburg to enquire whether the owner of the dogs received the notice and to explain to her that if she cannot afford to keep the animals and provide them with adequate food and care then she can sign them over to the SPCA. Felicia was very rude to him and told him that it is her dogs and she can do with them and keep them how she likes.

**7.**

On 20 March 2023 Patrick Chiwawa went back to the property nr 137 Lyster Street, Hopland, Vredenburg. The owner Felicia was again not at home. The notice was not complied with and nothing regarding the circumstances of the animals has changed. He left another notice to comply to:

- Provide water for the dogs on a daily basis
- Provide adequate shelter for both dogs
- Improve the body condition for both dogs and provide them with adequate food
- Clean the living area where the dogs are kept

**8.**

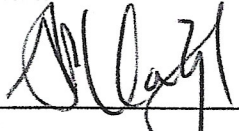
On 23 March 2023 I went with Patrick Chiwawa to the property nr 137 Lyster Street, Hopland, Vredenburg.

The owner Felicia was at home. The conditions for the dogs did not change. They were both still chained with short chains to the fences. No food or water. They are both very thin and the area where they must live is filthy. I again explained to Felicia that the dogs cannot live like that and that she can surrender the dogs to the SPCA if she cannot afford to keep them. Felicia then told me that it is her dogs and she can do with them what she likes and they

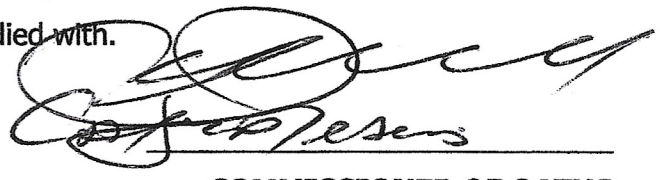


13.

The SPCA is governed by an Act of parliament, namely the Societies for the Prevention of Cruelty to Animals Act 169 of 1993. The SPCA's objectives in terms of this Act is to prevent the ill-treatment of animals by promoting their good treatment by man.

  
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**DEPONENT**

The deponent has acknowledged that he knows and understands the contents of this affidavit/declaration, which was signed and sworn to before me at Vredenburg 6 on this the 22 day of March 2023, the regulations contained in Government Notice No R1258 of 21 July 1972, as amended, and Government Notice No R1648 of 19 August 1977, as amended, having been complied with.

  
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**COMMISSIONER OF OATHS**  
*Christine Jacobs*

