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

SUPPORTING AFFIDAVIT

I, Jameson October, hereby make oath and declare in English as follows:-

1.

I am an adult male employed as an Inspector by the Swartland and West Coast Society for the Prevention of Cruelty to Animals ("SPCA") at Yzerfontein Road Darling with contact telephone number/s 022 492 2781 or 082 959 4879. 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.

J.O I.F

On 16 August 2023 I did an inspection at D3 1st Avenue Groenrivier Plaas, Silvertown Chatsworth. It is emerging small Farmers. I was approached by a man called Harry Marais. Mr Marais asked me to look at the condition of the pigs on Plot D3. I observed a Great white sow and 5x piglets of approximately 5 months in the pig pens. The sow and the piglets are extremely underweight. Two piglets have already died of what I assume must be starvation. They were in the pig pens. There was no food or water available for the animals. The pig pens were dirty, full of feces and I could see that it has not been cleaned in a while. Mr Marais advised me that the owner has not been on the farm for 3 months and does not provide any food. Mr Marais said that he and his friend Howard have been feeding the pigs in the interim but they are unable to afford to feed them any longer. Mr Marais said that he has contacted the owner Mrs Emelda Saligee on several occasions to tell her that the pigs are starving and there is no food for them. I issued warning nr: W5979 for the owner to:

- Provide the animals with adequate food on a daily basis
- Provide the animals with sufficient potable water 24 hours a day
- To provide the sick or injured animals with adequate veterinary treatment within 24 hours and provide the SPCA with a veterinarian report within the given time frame
- To clean and hygienically maintain the animals' living environment within 24 hours
- To contact inspector J October within 24 hours

5.

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:

5.1

The pigs do not have any food or water available to them. The area that they are living in is covered in feces and they require veterinary care. They are extremely underweight. I am of the reasonable view that this is an offence in terms of Section 2(1)(a), 2(1)(c), 2(1)(e) of the Animals Protection Act no 71 of 1962. If immediate action is not taken more of the pigs will die.

6.2

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.

J.O
I.F

7.

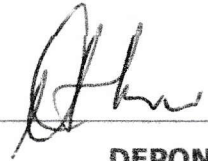
I request that such a warrant authorise members of Law Enforcement and the SAPS to accompany me upon such examination.

8.

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.

9.

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.



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 Durban on this the 16 day of August 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.



COMMISSIONER OF OATHS

