

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

SUPPORTING AFFIDAVIT

I, **Carina Bodenstein**, hereby make oath and declare in English as follows: -

1.

I am an adult female Inspector employed as such by the Swartland and West Coast Society for the Prevention of Cruelty to Animals ("SPCA") at Eenzaamheid Farm, R45 in Vredenburg with contact telephone number/s 022 492 2781 and 082 938 5173 and email address info@swartlandwestcoastspca.co.za. 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 the 30th of September 2024, at approximately 09h30, I responded, in full uniform and with my SPCA-branded vehicle, to conduct a follow-up inspection at **44 Spruit Street, Witteklip in Vredenburg** ("the property") to assess a dog that was previously assessed and found to be in an emaciated condition, due to not being fed



accordingly by his owner, who has been identified as Ricardo Piedt, with ID number 810928 5128 089 ("the owner").

4.1.

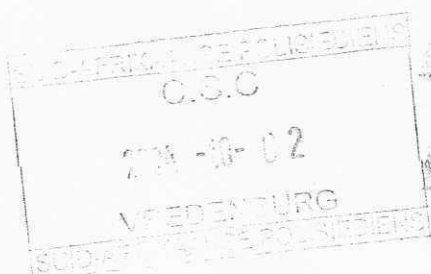
Upon my arrival, I approached the property and observed a Pitbull-type dog kept on a short static chain, of an approximate length of 1.5 meter. The dog was previously observed to be kept on a running chain which provided the dog with sufficient roaming space, and the reason for the dog being kept on a static chain today was unclear. The dog appeared to have lost weight since I last observed the dog, on the 12th of September 2024, as the dog's ribcage, spine and hip bones were evidently visible.

4.2.

A woman approached me from inside the house. I asked if the owner was present, and she advised that the owner has not returned home for the last month as he has been working in Atlantis, Cape Town. The woman advised that she is the owner's daughter and that she has been tasked with the responsibility of looking after the dog in the interim. I asked her to show me the dog's food and she advised that there is currently no food available for the dog as her father, the owner, has not sent any money to her to buy dog food. I asked her when did the dog last ate and she advised that the dog last ate yesterday during the day. A young child approached from the house with a plate of porridge and chicken bones and gave this to the dog where the dog devoured the food in seconds. This was evident to me, from experience, that the dog is currently starving.

4.3.

I called the owner and advised him of my findings and granted him the opportunity to surrender the dog as it appears if they do not have the financial means to care for the dog. The owner became verbally hostile towards me over the phone and threatened me to state that if I take his dog he will come and remove my children from my home. I advised him that the dog currently does not have any food, that the dog has lost weight and that the dog is currently suffering unnecessarily due to him not ensuring the dog's basic needs are met. The owner advised that he is not coming home anytime soon and kept threatening me that if I remove his dog that there will be repercussions. I asked him if he has any means to ensure his dog has a bag of dog food today and he responded that they do not have money to buy the dog dog-food. I advised the owner that he is currently in contravention of the Animals Protection Act 71 of 1962, and that he will leave me with no other option but to apply for a warrant in terms of said Act and he responded that I must do what I want to do.



4.4.

I initially attended to this property on the 29th of July 2024, whereby the dog was observed in an emaciated condition. The owner had the dog dewormed and ensured that the dog was fed twice daily, after my intervention and education. During my follow-up inspections I observed that the dog has gained weight over the past month and a half, however since my previous follow up inspection conducted on the 12th of September 2024, till date the dog has evidently lost a substantial amount of weight and is currently likely to be underfed and/or starved which is potentially causing the dog to suffer unnecessarily.

5.

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

5.1.

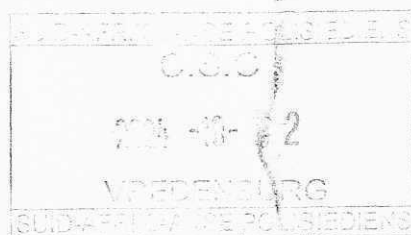
The one (1) dog is emaciated with his rib cage, spine and hip bones protruding due to being underfed and/or starved. I am of the reasonable view that this is an offense in terms of Section 2(1)(a) and (c) of the Animals Protection Act No 71 of 1962 and that the dog is suffering unnecessarily.

6.

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 animals are kept and if necessary, remove the aforesaid animal to prevent further suffering.

7.

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.

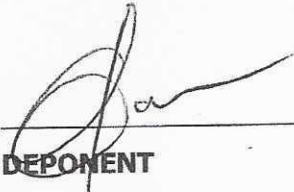


8.

I request that such warrant authorize members of the **Swartland and West Coast SPCA (SPCA)** and/or **South African Police Service (SAPS)** and/or the **Saldanha Bay Municipality Law Enforcement** to accompany me upon such examination, if their assistance is required.

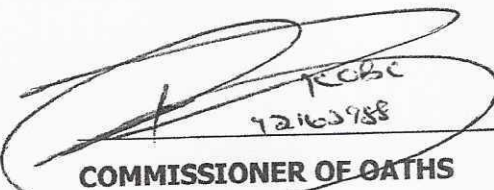
9.

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, to promote the interests of Societies for the Prevention of Cruelty to Animals and to make cognisance of the application of laws affecting animals and Societies and to make representations in connection therewith to the appropriate authority.

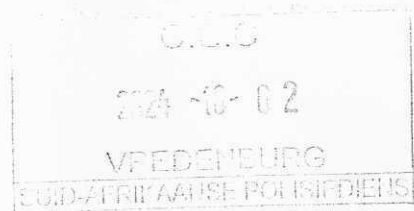


DEPONENT

The deponent has acknowledged that she knows and understands the contents of this affidavit/declaration, which was signed and sworn to before me at Vbrey on this the 10th day of 2024 10 2024 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. Edt



COMMISSIONER OF OATHS



Full names: Edwin Kobe
Designation: Edt
Business address: 85 main ROAD
Vbrey