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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.

4.

On 4 November 2024, the SPCA received a report that Mr. Jan Cilliers had relocated his border collies from Hopefield to a property 14 Drommedaris Street, Hooikraal, Moorreesburg.

On 5 November 2024, I, accompanied by Inspector Carina Bodenstein, conducted an inspection of this property. Upon arrival, we were greeted by the property owners, Mr. Alec Dick and Mrs. Amanda Dick, who granted us access. Mr. and Mrs. Dick explained that Mr. Cilliers had expressed an interest in purchasing the property and was renting temporarily until the sale was finalized. They were unaware of his history and believed his intentions were genuine. Mr. Dick informed us that the dogs had been on the property since Saturday, 2 November 2024, and that Mr. Cilliers himself had stayed overnight until the morning of Tuesday, 5 November. Mrs. Dick escorted us to the horse stables where the dogs were being housed. At that time, all dogs had access to food and water, with dog pallets provided in the stables, and no apparent contravention of the Animal Protection Act was observed.

5.

On 7 November 2024, I returned to 14 Drommedaris Street, Hooikraal, Moorreesburg, to check on the condition of the dogs. Mr. Alec Dick once again granted me access to the property. Mr. Dick stated that Mr. Cilliers had not returned since leaving on Tuesday, 5 November 2024, and that the dogs had been left unattended since then. Mr. Dick also informed me that his estate agent had issued Mr. Cilliers a notice requiring him to vacate the property by 5 November. During this inspection, I observed that some dogs lacked food, and the conditions within the living area had deteriorated significantly. The area was filthy, covered in feces, and emitted a strong odor of urine and waste. Some of the dogs lacked both food and water, although a few still had access to self-feeders containing food. The dogs were visibly distressed, walking through the dirty, unsanitary conditions.

6.

Mr. Cilliers is a known individual to the SPCA with a documented history of irresponsible and neglectful behavior toward his animals. He is believed to use the dogs primarily for breeding and has been evicted from multiple properties due to poor animal care practices. In past cases, such as those in Chatsworth and Klipfontein, Malmesbury, I have responded to several complaints regarding his treatment of animals. Mr. Cilliers has a pattern of frequently relocating his dogs in response to complaints, leaving them unattended for three to four days at a time before returning to provide minimal care. Mr. Cilliers is rarely, if ever, present at the property, leaving the dogs entirely unattended and vulnerable, with no arrangements in place to care for them in case of emergencies.

8.

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:

8.1

The Border Collies are living in unsanitary conditions, deprived of adequate food and water, abandoned, and left to fend for themselves. They are repeatedly moved from place to place, further exacerbating their distress and lack of stability. I am therefore compelled to seek a warrant for the removal of these dogs to ensure their welfare. I hold a reasonable belief that this situation constitutes an offense under Section 2(1)(a), 2(1)(c), 2(1)(e), and 2(1)(p) of the Animals Protection Act No. 71 of 1962, as the dogs are experiencing unnecessary suffering as a direct result of these conditions.

9.

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.

10.

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

11.

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.

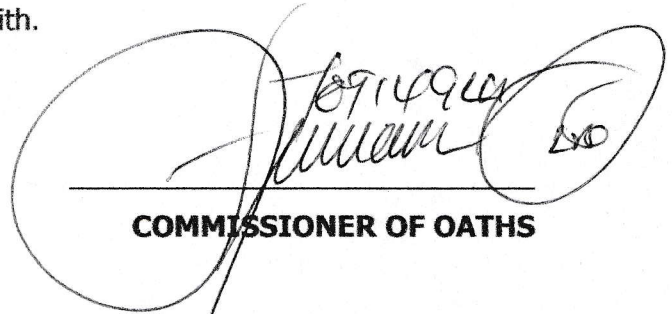
12.

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 Maarrebos on this the 08 day of November 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.



COMMISSIONER OF OATHS

