



**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 4922781 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 **27 November 2024**, I conducted an inspection at **Hawk Animal Shelter Riverlands**, located at **GPS Coordinates: -33°31'29.9"S, 18°35'02.1"E**. A prior warrant was granted in respect of **Andre Verbiest** of **Hawk Animal Rescue/Shelter NPC/373702/08** due to concerns regarding his failure to provide adequate veterinary care

and general welfare for animals in his custody. My visit was intended to ensure compliance with the conditions of the warning issued to Mr. Verbiest on **30 August 2024**, specifically to verify that:

- The number of animals remains manageable;
- There are no sick or injured animals; and
- The animals are receiving proper veterinary care as required.

Upon arrival, Mr. Verbiest granted me access to inspect the animals. During the inspection, he presented a female white Maltese dog with a severe skin condition. I inquired whether the dog had been treated by a veterinarian, to which Mr. Verbiest claimed he had taken the dog to **Hakuna Matata Veterinary Clinic**. However, he could not provide any proof of such treatment. Instead, he showed me a small bowl containing what he described as a natural gel, allegedly provided by a female veterinarian at Hakuna Matata for the dog's treatment.

5.

Concerned about the lack of proof and the dog's condition, I subsequently contacted Hakuna Matata Veterinary Clinic at 021 554 2115. I spoke with a representative named Andrew, who confirmed that the shelter was listed in their system. However, Andrew stated that their last recorded interaction with Hawk Animal Shelter involved a dog in July 2024 and that there was no record of the Maltese dog being treated by them. My manager, Inspector Louise van Zyl, sent an official email to Hakuna Matata Veterinary Clinic for confirmation. A written response from the clinic (attached) confirmed that they have not treated the Maltese poodle in question.

6.

Based on the findings during my inspection and the clinic's response, it is evident that:

- The Maltese dog is in urgent need of veterinary care.
- Mr. Verbiest falsely claimed to have sought proper veterinary treatment for the animal.

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I reasonably believe that this situation constitutes a violation of **Sections 2(1)(a) and 2(1)(e)** of the **Animals Protection Act No. 71 of 1962**, as the dog is enduring unnecessary suffering due to the lack of proper treatment.

In light of the above, I am compelled to seek a warrant for the removal of the Maltese dog to ensure its welfare and proper treatment.

8.

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.

9.

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

10.

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.

11.

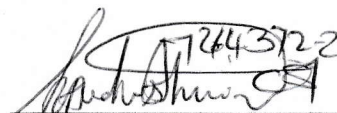
The SPCA is governed by an Act of parliament, namely the Societies for the Prevention of Cruelty to Animals Act 169 of 1993. The SPCA's objectives in terms of this Act is to prevent the ill-treatment of animals by promoting their good treatment by man.



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 Malmesbury SAPS on this the 02 day of November ~~December~~ 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.

SUID-AFRIKAANSE POLISIEDIENS
STATION COMMANDER MALMESBURY
02 DEC 2024
COMMUNITY SERVICE CENTRE
SOUTH AFRICAN POLICE SERVICE



COMMISSIONER OF OATHS