

WARRANT IN TERMS OF SECTION 8 (1) OF THE ANIMALS PROTECTION ACT 71 OF 1962, READ TOGETHER WITH REGULATION 468, ISSUED IN TERMS OF SECTION 10(1)(b) OF THE AFORESAID ACT

To: **INSPECTOR OCTOBER OF THE SWARTLAND AND WEST COAST SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS (SPCA)**

WHEREAS it appears to me from information on oath that there are reasonable grounds to believe that one or more offences listed in Section 2 of the Animals Protection Act 71 of 1962 have and are being committed within the Magisterial District of **VREDENBURG** at the premises nr **31 Whipping Street Saldanha**.

This is therefore to authorise you to enter and search the identified premises and direct you to:

- examine the animal(s) and the conditions in which it is kept;
- take such photographic and / or video footage as may be reasonably necessary;
- take into custody all / any evidence and / or equipment required for the purposes of prosecution;
- if required take with you onto the property the following expert/individual:
 - **MEMBERS OF THE SOUTH AFRICAN POLICE SERVICE (SAPS);**
 - **MEMBERS OF THE SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS (SPCA);**
 - **MEMBERS OF LAW ENFORCEMENT**
- seize such animal(s) and take it into your custody if it is reasonably necessary to prevent cruelty to or suffering of such animal(s);
- deal with it/them according to law/bring it/them before me to be dealt with according to law.

THIS WARRANT is valid for execution on **21 February 2024**.

GIVEN UNDER my hand at **VREDENBURG** on this **21st** day of **FEBRUARY 2024**.



MAGISTRATE

**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 Plaas Eenzaamheid R45 Vredenburg next to the Municipal Dumpsite with contact telephone number/s 022 289 0998 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 19 February 2024 I was doing proactive investigations in Saldanha. At nr 31 Whipping Street Saldanha in front of the house I saw a brown terrier x male dog. Upon closer inspection I could see that the dog has an injury to his neck which looks to me like it was caused by a chain, due to not providing the dog with a collar. I asked the people in the street if they know who the dog belongs to and they confirmed that the owners lives at nr

31 Whipping Street Saldanha. There was no one at home. I issued warning nr W2958 for the dog to be provided with veterinary care within 24 hours and also left my contact details for them to contact me. I then left the property.

5.

On 20 February 2024 I returned to the property nr 31 Whipping Street Saldanha to see if my warning was adhered to. A Mrs Abrahams granted me access to the property. I asked her if the dog was taken to a vet and Mrs Abrahams said to me that her son took the dog to a vet in Vredenburg. She could not tell me which vet. I told her that she must find out the name of the vet or provide me with proof that the dog was taken to the vet and that I will come back the next day, the 21st of February 2024. I then left the property.

6.

On 21 February 2024 I returned to the property nr 31 Whipping Street and my warning was not adhered to. There is no proof that the dog was taken to a vet.

7.

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:

7.1

The brown terrier mix male dog is not being provided with veterinary care. I am of the reasonable view that this is an offence in terms of Section 2(1)(a) and 2(1)(e) of the Animals Protection Act no 71 of 1962 and that he is suffering unnecessarily as a result.

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.

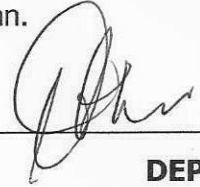
In addition, the SPCA requires to take photographic and / or video footage, and take into custody all / any evidence and / or equipment as may be reasonably necessary for the

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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.

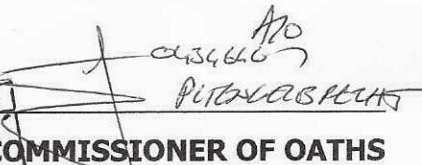
The SPCA is governed by an Act of parliament, namely the Societies for the Prevention of Cruelty to Animals Act 169 of 1993. The SPCA's objectives in terms of this Act is to prevent the ill-treatment of animals by promoting their good treatment by man.



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 Vredenburg on this the 21 day of February 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



Society for the Prevention of Cruelty to Animals
Dierebeskermingsvereniging

SEIZURE NOTICE

NAME & SURNAME: Mrs Abrahams DATE: 21/02/24
PHYSICAL ADDRESS: 31 Whipping str
Selodanha ID No. _____
TEL. No. _____ CELL No. _____ REG No. _____

The following animals have been seized:

1x Brown terrier X male

The above mentioned animal/s have been seized in terms of the Animals Protection Act No 71 of 1962 read together with Regulation 468 issued in terms of the aforementioned Act.

SIGNED & ACCEPTED BY: _____

PLACE: _____

TIME: 14:00

INSPECTOR: J. OCTOBER

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