



**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 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 16 July 2024, I conducted door-to-door inspections in Riverlands. At property number 17 Waterblommetjie Street, Riverlands, I observed a very thin brown and white female pitbull chained with a short chain. There were no people at home. While there was some form of shelter, it consisted only of pieces of planks, which were insufficient to protect the dog from

the elements. Consequently, I issued a warning (W5097) requiring the provision of adequate shelter, a running chain, and adequate daily food for the dog. I left the warning with the neighbor.

5.

I returned to the property on 23 July 2024 to verify compliance with the warning. It was apparent that the warning had been received, as the chain was slightly longer and the planks and roof sheets had been rearranged to provide shelter. However, these modifications were still inadequate. The dog remained underweight, and there was no food in sight.

6.

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:

6.1

That brown and white female pitbull on the property is very thin and is tied with a short chain and does not have shelter to protect her from the elements. I am of the reasonable view that this is an offence in terms of Section 2(1)(a), 2(1)(b) & 2(1)(c) of the Animals Protection Act no 71 of 1962 and that the dog may be suffering unnecessarily as a result.

7.

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.

8.

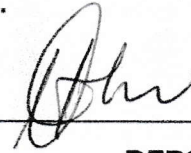
I request that such a warrant authorise members of Law Enforcement and the SAPS to accompany me upon such examination.

9.

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.

10.

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 Darling on this the 23 day of July 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.

7163027-8
 O. Solomon

COMMISSIONER OF OATHS

SUID-AFRIKAANSE POLISIEDIENS
SUPPORT HEAD
23 JUL 2024
SUPPORT DARLING
SOUTH AFRICAN POLICE SERVICE