



**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 23 February 2025, the Swartland and West Coast SPCA received a complaint regarding two dogs that are underweight and the complainant also mentioned that the dogs have no food or water at Plot 198, Kalbaskraal.

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I went out to the address and was granted access by Mrs Johanna le Roux. On the property I observed two Terrier x male dogs. Both dogs are on running chains without collars. The black Terrier x named Swarthond is very underweight. The white dog called Whitey is also underweight but not as bad as the black Terrier x dog called Swarthond.

I asked Mrs le Roux if she has food for the dogs and she said she does not have dog food but gives them pap. I told her that she has to give the dogs adequate dog food and that a maize meal is not adequate food for dogs. Mrs le Roux started to get hostile towards me and ask me where the fuck must she get the money from and that is all she can afford to feed her dogs.

I did a close up inspection on both dogs and noticed that the black dog called Swarthond gums are very pale which is an indication that the dog might have tick bite fever. I issued a warning W6048 to get both dogs to a vet within 48 hours and also to provide the dogs with collars as the rope around both dogs necks is not acceptable.

5.

On Wednesday 26 February 2025 I returned to the property and the warning was not adhered to. Given the circumstances and the welfare concerns surrounding the two dogs, I respectfully request a warrant for the removal of the animals to ensure its proper care and treatment.

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

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 this horse is enduring pain and suffering because her owner is not providing her with veterinary care and is still riding her..

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.

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8.

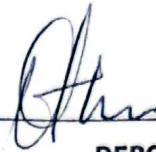
I request that such a warrant authorise members of Law Enforcement and the SAPS to accompany me upon such examination.

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.

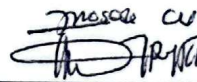
10.

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 SAPS on this the 27 day of Feb 2025, 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



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