

I 4480

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 number **RDP houses in Diazville, Saldanha (GPS coordinates: 33°00'51.8"S 17°56'40.1"E)**

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 entities:
 - **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.

GIVEN UNDER my hand at **VREDENBURG** on this **30TH** day of **MAY 2025**.

MAGISTRATE
Private Bag X5, Vredenburg 7380
2025 -05- 30
ONE
VREDENBURG MAGISTRATE'S COURT

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 8 May 2025, I visited the RDP houses in Diazville, Saldanha (GPS coordinates: 33°00'51.8"S 17°56'40.1"E) following a complaint regarding an underweight pit bull. This particular dog on this property had previously been the subject of similar complaints—its condition would improve temporarily but then deteriorate again. On this occasion, the dog was surrendered to the SPCA. During my visit, I also observed another dog on the property,

named Bruno, who was restrained with a static chain. The owner stated that they would place Bruno on a running chain, and I informed them that I would return to verify compliance.

5.

On 20 May 2025, I returned to the same property RDP houses in Diazville, Saldanha (GPS coordinates: 33°00'51.8"S 17°56'40.1"E) to conduct a follow-up inspection. Bruno was still not on a running chain but was instead tied to a rock with a short chain. Although a running chain was present on the property, Ms Tosela claimed it was designated for a different dog. I then issued a formal warning (Warning No. W6560), instructing the owner to place Bruno on the running chain as required.

6.

On 28 May 2025, I conducted a third inspection at the same location RDP houses in Diazville, Saldanha (GPS coordinates: 33°00'51.8"S 17°56'40.1"E). The owner of the dog, Ms Tosela was present. Despite the prior warning, Bruno remained tied with the same short chain and rock. The owner claimed she was not allowed to place Bruno on the running chain. I explained that the dog's welfare is a priority and that keeping him tethered in this manner is unlawful. However, the owner showed no interest in complying. I then left the property.

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 male dog Bruno is tied to a rock with a short chain and cannot access and sleep in his shelter properly. I am of the reasonable view that this is an offence in terms of Section 2(1)(a) and 2(1)(b) of the Animals Protection Act no 71 of 1962 and that the dog Bruno 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 purpose of prosecution and, if necessary, may exercise its powers in terms of section 5(1) of the Animals Protection Act 71 of 1962.

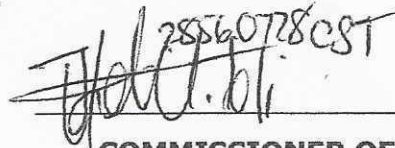
11.

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 30 day of May 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

