

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 **No. 5 Begonia Street, Laingville OR property next to the graveyard. GPS Co-ordinates -32.795048,18.064308.**

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 **MALMESBURY** on this **4TH** day of **JULY 2025**.



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 Vredenburg SPCA R45 next to the municipal Dumpsit Vredenburg 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 1 July 2025, the West Coast SPCA in Vredenburg received a complaint regarding a white pitbull with visible wounds and mange, allegedly located at the house directly adjacent to the graveyard in Laingville. On 2 July 2025, at approximately 15:25, I proceeded to the mentioned property next to the graveyard. GPS Co-ordinates -32.795048,18.064308. The

individual present at the premises informed me that the owner of the pitbull had collected the dog and taken it to his residence at No. 5 Begonia Street, Laingville. I proceeded to that address and made contact with the owner, Mr. Adams, who granted me access to the property to conduct a welfare inspection on the dog. I observed a white male pitbull in extremely poor condition. The dog was suffering from a severe skin condition, had an injury to one of his legs which rendered him unable to walk, and had open wounds on both ears. Mr. Adams refused to surrender the dog to the SPCA, stating that he intended to take the dog to a veterinarian himself. I then issued Warning Notice W6584 to Mr. Adams, instructing him to do the following within 24 hours:

- Take the dog, "Bully", to a veterinarian for immediate medical treatment
- Provide proof of veterinary treatment to the SPCA

Mr. Adams accepted and signed the warning notice, after which I left the property.

5.

On 3 July 2025, at approximately 14:30, I returned to the property at No. 5 Begonia Street, Laingville. Mr. Adams was once again present. I requested to see the dog, Bully, but Mr. Adams stated that the dog was no longer in his possession and that his wife had taken the dog. Mr. Adams failed to comply with the conditions set out in Warning Number W6584, as he confirmed the dog had not been taken to a veterinarian. I subsequently returned to the property located next to the graveyard GPS coordinates : -32.795048,18.064308 to make further inquiries. Despite knocking on the door and calling out loudly, no one responded and no one came to the door.

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

The white male Pitbull named Bully is in a very bad condition and requires urgent veterinary attention. He has open wounds and a bad skin condition and is struggling to walk. 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 dog is suffering unnecessarily.

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 Vredenburg on this the 04 day of July 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

