

**APPLICATION FOR THE ISSUE OF A WARRANT IN TERMS OF SECTION 8 (1) OF
THE ANIMALS PROTECTION ACT 71 OF 1962**

SUPPORTING AFFIDAVIT

I, Mariska Etricia Venter, ID Number 890517 0077 087 hereby make oath and declare in English as follows: -

1.

I am an adult female employed as an Inspector by the Brakpan Society for the Prevention of Cruelty to Animals (SPCA) at 96 Denne Road, Witpoort, Brakpan with contact number 011 742 2007 or 083 696 9052. 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 section 3 of the Societies for the Prevention of Cruelty to Animals Act 169 of 1993, the NSPCA's objects are inter alia to prevent the ill-treatment of animals by promoting their good treatment by man, to promote the interests of societies for the prevention of cruelty to animals and to make cognisance of the application of laws affecting animals and societies and to make representations in connection therewith to the appropriate authority. As part of the means by which it fulfils its objects, the NSPCA appoints inspectors in terms of section 6(1)(c) of that Act.

4.

By virtue of my afore-stated position as an officer of the Brakpan SPCA and in giving effect to its objects, particularly to prevent the ill-treatment of animals, I may, where necessary, exercise the powers provided for 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.

5.

On the day of the 19th of May 2022 the Brakpan SPCA received a cruelty complaint stating that the dog residing at 22 Kirkpatrick street, Sherwood Gardens, Brakpan North was in terrible condition and the owners where mistreating the animal.

6.

On the same day of 19th of May 2022 myself and cadet inspector Elzette van Zyl went to the address identified as 22 Kirkpatrick street, Sherwood Gardens, Brakpan North to investigate the complaint received. Upon arrival we found an underweight, unsterilised, large, male Jack Russel type dog, white with brown in colour.

7.

The dog was found with a very low body score and terrible Fly strike on both ears causing the dog unnecessary stress and discomfort. We could not gain access into the property as no one was at home, therefore no water, food or shelter could be seen. A notice to comply #0093 was issued to contact the Brakpan SPCA within 24 hours.

8.

On the 20th of May 2022, we visited the property again as we received no communication from the owners. When at the property we found the first notice to comply was removed. We then left a second notice to comply # 0096. We returned for the 3rd time on the 23rd of May 2022 as again we received no communication from the owner. The notice to comply from the previous day was also taken down. We then left a Warning #0122, but to my knowledge we have still received no communication.

9.

The yard appears to be well kept, along with the notices that were taken down, its safe to say the property is not abandoned and the owner/s is ignoring our attempt to communicate and help with their dog that appears to be suffering. Upon each visit, we provided the dog with food and water through the gate. On all 3 visits, the dog displayed typical behaviour of an animal that has no food or water. He ate at the food vigorously.

10.

I have reason to believe that one or more offences of the Animals Protection Act 71 of 1962 have been and are being committed. I therefor request a warrant in terms of section 8 (1) of the Animals Protection Act 71 of 1962 to investigate and examine the conditions in which the aforesaid animal/s are kept and to remove the aforesaid animal if the conditions found is in contravention of the Animals Protection Act 71 of 1962.

11.

I request that for the purpose of prosecution I am authorised to take video and photo evidence.

12.

I request that such warrant authorise myself and Cadet Inspector Elzette van Zyl with SPCA kennel staff Bryan McClintock and John Ramopahla to accompany me upon such examination, all of whom are also duly authorised representative of the SPCA.

Nenter

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 Brakpan on this the 25 day of May 2022, 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.



S. M. Ueckermann

COMMISSIONER OF OATH
S.M. UECKERMANN
0449685-0

Brakpan

**Society for the Prevention
of Cruelty to Animals**



**Dierebeskermings-
vereniging**

Incorporated Association not for gain – Ingelyfde Vereniging sonder winsoogmerk
KENNELS/HOKKE: 96 DENNE RD/WEG, WITPOORT, BRAKPAN

Reg. No. 001-910 NPO

✉ 407
Brakpan
1540
☎ 011 742 2007
011 743 1076
083 696 9052

Herewith PhotoGraphic Evidence regarding the unsterilized Male Jack Russel Type dog White with Brown in color residing at 22 Kirk Patric Street Brakpan North.



Image 1.

- (a) In this image seen a well kept yard showing that the property is not abandoned
- (b) Low overall Body Score of the dog
- (c) Rib Cage and spine visible indicating emaciated

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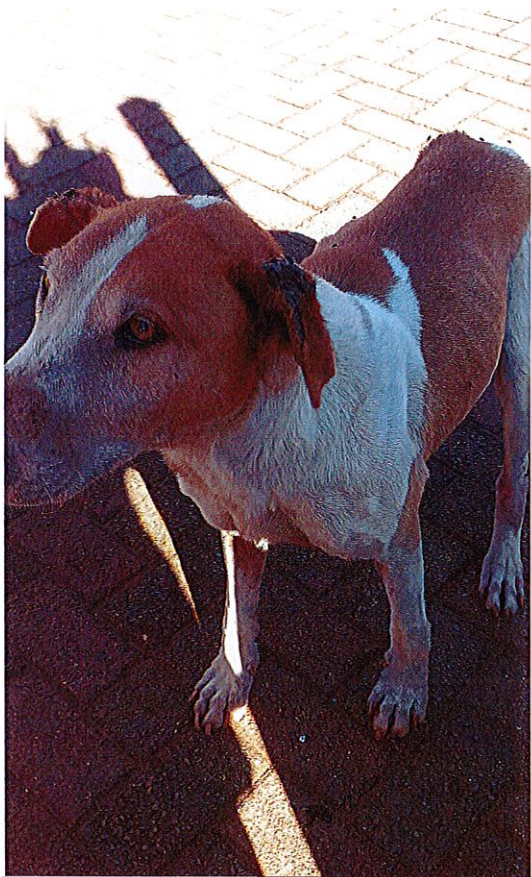


Image 2
Open and Infected wounds on both ears.

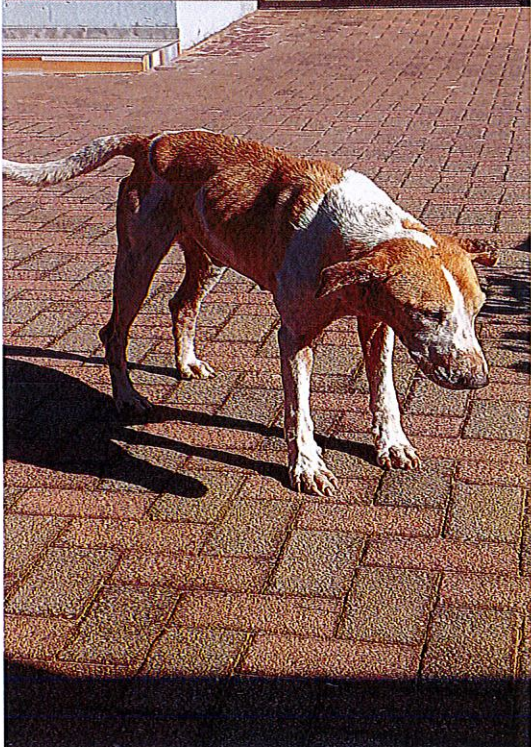


Image3.
Hair loss all over body observed aswell as a skin irritation

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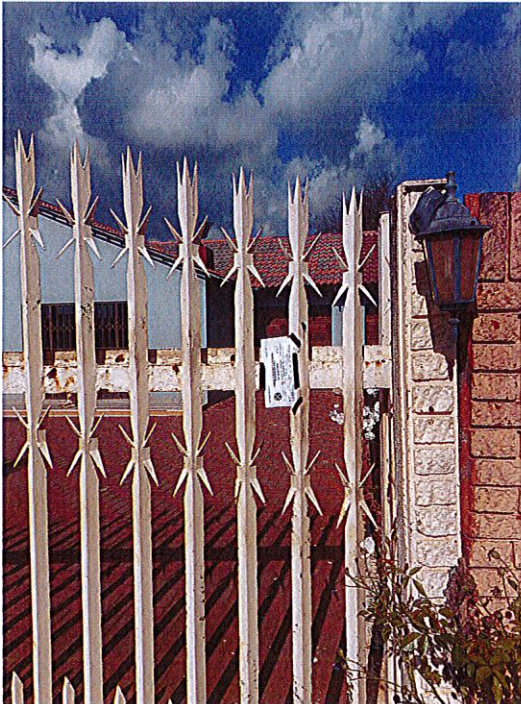


Image 4 and 5.
Attempts for communication

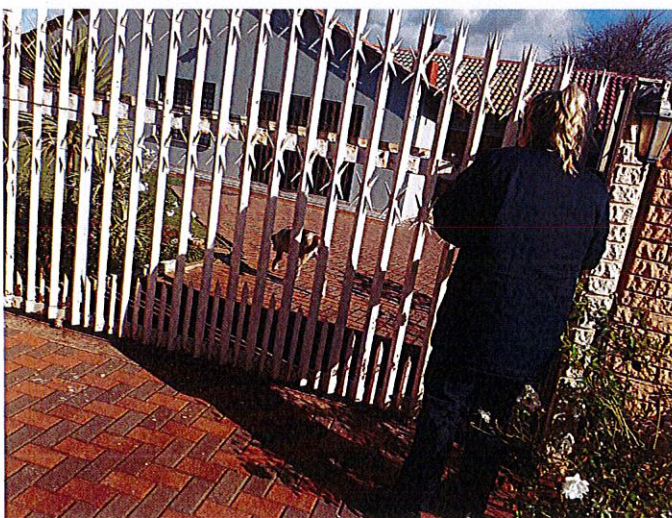


Image 5.



Society for the Prevention of Cruelty to Animals
Dierebeskermingsvereniging

NOTICE TO COMPLY**NC0093**

NAME & SURNAME: no one at home DATE: 19/05/2022
PHYSICAL ADDRESS: 22 Kirkpatrick St.
ID No. Kirkpatrick St.
TEL. No. _____ CELL No. _____ REG No. _____

You are hereby instructed to:

Please call Brakpan
SPCA on.

083 696 9052.

Ask for Mariska or Elette.

This notice has been issued in terms of the Society for the Prevention of Cruelty to Animals Act No 169 of 1993 and refers to the Animals Protection Act No 71 of 1962

SIGNED & ACCEPTED BY: No one at home.

PLACE: _____ TIME: _____

REPRESENTATIVE: Elette. SPCA: Brakpan.



Society for the Prevention of Cruelty to Animals
Dierebeskermingsvereniging

W 0122

WARNING

NAME & SURNAME: OWNER DATE: 23/05/22
PHYSICAL ADDRESS: 22 KIRK PATRIC Brakpan
ID No. _____
TEL. No. _____ CELL No. _____ REG No. _____

You are hereby warned:

Please make contact
with the Brakpan SPCA
URGENTLY.

final attempt for communication

The Brakpan SPCA
083 696 9052.

This warning has been issued in terms of the Society for the Prevention of Cruelty to Animals Act No 169 of 1993.

Failure to comply with this warning may render you liable for prosecution under the Animals Protection Act No 71 of 1962 and / or Performing Animals Protection Act No 24 of 1935.

Any person who:- obstructs, hinders or resists an officer authorised in terms of the Animals Protection Act No 71 of 1962 or conceals any animal shall be guilty of an offence in terms of Section 8(4) of the aforementioned Act.

SIGNED & ACCEPTED BY: _____

PLACE: Brakpan North TIME: _____INSPECTOR: MARISA OR ELZETTE



Society for the Prevention of Cruelty to Animals
Dierebeskermingsvereniging

NOTICE TO COMPLY**NC0096**NAME & SURNAME: Quirra DATE: 20/05/22PHYSICAL ADDRESS: 22 Kirk Patrick Str

ID No. _____

TEL. No. _____ CELL No. _____ REG No. _____

You are hereby instructed to:

Please make contact
with Morista or Elzelle from
The Brakpan SPCA

083 696 9052

Please contact urgently.

This notice has been issued in terms of the Society for the Prevention of Cruelty to Animals Act No 169 of 1993 and refers to the Animals Protection Act No 71 of 1962

SIGNED & ACCEPTED BY: _____

PLACE: _____ TIME: _____

REPRESENTATIVE: _____ SPCA: _____