

WARNING

5628

To: Mr / Mrs / Ms	ADPO/HIS	Date	8 NOV 2024
Address	20 UPR STREET, CONVILLE		
George	ID No		
Tel No:	Cell No	073 4477 285	
Vehicle Reg No:	Trailer Reg No:	(M4)	

☐ 1. To provide the animal/s with adequate food on a daily basis.

☐ 2. To provide the animal/s with sufficient potable water 24 hours a day.

☐ 3. To provide the animal/s with adequate shelter against the elements within ____ hours and provide the SPCA with veterinarian report within the given time frame.

☐ 5. To clean and hygienically maintain the animal/s living environment within ____ hours

☐ 6. To groom the animal/s within ____ hours and keep them in a fit and healthy state at all times.

☐ 7. To untie/unchain the animal/s immediately to roam freely inside the property or to place the animal/s on a running chain within ____ hours / days. (*Advice can be obtained from inspector*)

☐ 8. Possible abandonment of animal/s on the property is suspected.

☐ 9. Tail / ear maiming or any other surgical mutilation is not permitted on animals.

☐ 10. Baiting, inciting or provoking any animal to attack another animal or to allow any animal to attack another animal is not permitted.

☒ 11. To contact SPCA Inspector SAHME BLYTH on 08237 within ____ hours / days to discuss the concerns.

☐ 12. Other / remarks:

☐ 12. Other / remarks:
 Ek het jou pitkaville 15 ondersoek.
 Die hond is gaskort na 10
 ander persepte en is weer
 om 4 samewerking te gee
 om my die adresse te gee.
 Hiermee werk ek jou om
 binne 24 uur vir my die
 adresse te gee want ek het
 hante 15.

This warning has been issued in terms of the Society of 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: [Signature] (MAY)
PLACE: Conville TIME: 6:14
INSPECTOR: Sgt. Raynor



(GEO) 044 878 1990
(GEO) 082 378 7384
Ossie Urban Rd, George, 6529
P.O Box 258, George, 6530
www.grspca.co.za

(M/B) 044 693 0824
(M/B) 072 287 1761
18 Bill Jeffery St, Mossel Bay, 6506
P.O Box 258, George, 6530
www.grspca.co.za

I am an adult female and a Senior Inspector employed by the Garden Route Society for the Prevention of Cruelty to Animals (SPCA), located at Ossie Urban Street, Tamsui Industria, George. My contact telephone numbers are 044 878 1990 and 0762020043.

1.

The facts contained in this affidavit fall within my personal knowledge unless otherwise stated or clear from the context. These facts are, 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 objectives of the NSPCA include:

Preventing the ill-treatment of animals by promoting their proper treatment by humans.

Promoting the interests of societies for the prevention of cruelty to animals.

Ensuring the application of laws relating to animals and making representations to the appropriate authorities.

4.

In fulfilment of these objectives, the NSPCA appoints inspectors in terms of Section 6(1)(c) of the Act. As an officer of the Garden Route SPCA, I am empowered to exercise the authority provided by Section 8, read with Section 5(1), of the Animals Protection Act 71 of 1962, which allows for the search, seizure, and destruction (where necessary) of animals to prevent cruelty.

5.

On Friday, 8 November 2024, at approximately 09:23, the SPCA received a call from Trevor (contact number 083 388 1991) regarding two dogs he wished to surrender. The address provided for collection was 20 Valk Street, Conville.

6.

Field Officer Elfonzo Bruiners was dispatched to the address to collect the dogs. Upon arrival, a man identified as Luke Appolis refused to surrender the dogs, claiming ownership and stating that he would not give them to the SPCA. Field Officer Elfonzo Bruiners photographed the dogs:

A female dog was roaming freely, appearing underweight, suffering from mange, and in poor overall condition.

Affiliated to the National Council of SPCAs (NSPCA)

A male Pitbull was tethered on a short chain of approximately two meters and was severely underweight, showing signs of extreme malnutrition.

7.

Following this, Elfonzo returned to the office and requested further investigation by an inspector. On the 8th of November 2024, at approximately 16:00, I visited the address for further investigation. A woman, identified as Louise Appolis, approached my vehicle. Upon inspecting the front yard, I noted that the dogs were no longer present, as shown in Elfonzo's earlier photographs.

8.

Louise explained that her son, Luke, had removed the dogs following the SPCA's earlier visit. She also stated that she had contacted the SPCA because she did not want the dogs on her property as Luke does not work and cannot afford to feed the dogs. Louise then called Luke, who came out to speak with me. When questioned about the dogs' whereabouts, Luke refused to disclose their location, displayed a confrontational attitude, and claimed he was not afraid of the SPCA. He promised to bring the dogs to the SPCA on Monday, 11 November 2024, but failed to do so.

9.

I issued Luke a written warning, requiring him to inform me of the dogs' location within 24 hours. Luke disregarded the warning, leaving before I could complete it. I handed the warning to Louise, who signed it on Luke's behalf.

10.

I made multiple visits to the address to gather information about the dogs' location. On each occasion, Louise claimed that Luke was not home and promised to provide the information, but she failed to do so.

11.

On 20 November 2024, Louise informed me that one of Luke's friends, nicknamed Boetie, who resides in Van Rooyen Street, had taken the dogs. I searched the street and questioned residents and manage to locate Boetie, but the dogs were not on his property, he also denied having taken the dogs.

Louise also mentioned that the dogs might be with a person named Clement, who resides in Protea Park. Following further inquiries, I was directed to Clement's residence at 36 Muller Street, Rosemoor.

12.

During my first visit to Clement's home, he was not present. However, his parents were home and recognized the dogs from the photographs. They assured me they would ask Clement about the dogs' whereabouts. On Saturday, 23 November 2024, I returned to Clement's home. Clement confirmed that he knew the dogs and admitted they previously belonged to him. He explained that he had retrieved the dogs from his cousin four months earlier with the intention of euthanizing them due to their poor condition. However, Luke insisted on taking the dogs instead.

13.

Clement expressed shock upon seeing the recent photos of the dogs. He stated that the dogs were not in such poor condition when he handed them over to Luke. Clement mentioned visiting Luke's house to check on the dogs but was unable to locate him.

14.

Despite repeated efforts, I have been unable to locate the two dogs. Luke Appolis has consistently refused to cooperate or provide information regarding their whereabouts. The welfare of the animals remains a significant concern, as they were last seen in a severely neglected and malnourished condition.

DEPONENT

I certify that the contents of this affidavit are true and co

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 _____ on this the _____ day of _____ 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.

COMMISSIONER OF OATHS

Society for the Prevention of Cruelty to Animals

Incorporated Association not for gain

NPO No.: 003-629

PBO No.: 130004687



GARDEN ROUTE

Dierebeskermings- vereniging

Ingelyfde Vereniging sonder winsoogmerk

(GEO) 044 878 1990

(GEO) 082 378 7384

Ossie Urban Rd, George, 6529

P.O Box 258, George, 6530

www.grspca.co.za

(M/B) 044 693 0824

(M/B) 072 287 1761

18 Bill Jeffery St, Mossel Bay, 6506

P.O Box 258, George, 6530

www.grspca.co.za



PHOTOGRAPH TAKEN BY FIELD OFFICER ELFONZO BRUINERS ON THE 8TH OF NOVEMBER 2024

MALE PITBULL

Affiliated to the National Council of SPCAs (NSPCA)

Society for the Prevention of Cruelty to Animals

Incorporated Association not for gain

NPO No.: 003-629

PBO No.: 130004687



GARDEN ROUTE

**Dierebeskermings-
vereniging**

Ingelyfde Vereniging sonder winsoogmerk

(GEO) 044 878 1990

(GEO) 082 378 7384

Ossie Urban Rd, George, 6529

P.O Box 258, George, 6530

www.grspca.co.za

(M/B) 044 693 0824

(M/B) 072 287 1761

18 Bill Jeffery St, Mossel Bay, 6506

P.O Box 258, George, 6530

www.grspca.co.za



PHOTOGRAPH TAKEN BY FIELD OFFICER ELFONZO BRUINERS ON THE 8TH OF NOVEMBER 2024

FEMALE PITBULL

Affiliated to the National Council of SPCAs (NSPCA)

Society for the Prevention of Cruelty to Animals

Incorporated Association not for gain
NPO No.: 003-629
PBO No.: 130004687



GARDEN ROUTE

Dierebeskermings- vereniging

Ingelyfde Vereniging sonder winsoogmerk

(GEO) 044 878 1990
(GEO) 082 378 7384
Ossie Urban Rd, George, 6529
P.O Box 258, George, 6530
www.grspca.co.za

(M/B) 044 693 0824
(M/B) 072 287 1761
18 Bill Jeffery St, Mossel Bay, 6506
P.O Box 258, George, 6530
www.grspca.co.za

26 November 2024

ATTENTION: Public Prosecutor,

CHARGES IN TERMS OF THE ANIMALS PROTECTION ACT 71 OF 1962

In the case of the State Versus:

- Luke Appolis

The Garden Route SPCA for the Prevention of Cruelty to Animals (SPCA) request that the accused be charged for animal cruelty in terms of the following Sections of the Animals Protection Act

SECTION: 2

Offences in respect of animals – (1) Any person who

2.1 (c) unnecessarily starves or under – feeds or denies water or food to any animal;

The individual unnecessarily starved / underfed the animals, denying proper food and water.

2.1 (b) confines, chains, tethers or secures any animal unnecessarily or under such conditions or in such a manner or position as to cause that animal unnecessary suffering or in any place which affords inadequate space, ventilation, light protection or shelter from heat, cold or weather;

The male dog was chained by a short chain, restricting its movement and causing unnecessary suffering. The conditions do not provide adequate space for the dog.

Section 2.1.2

For the purpose of subsection (1) the owner of any animal shall be deemed to have permitted or procured the commission or omission of any act in relation to that animal if by the exercise of reasonable care and supervision in respect of that animal he could have prevented the commission or omission of such acts.

Affiliated to the National Council of SPCAs (NSPCA)

By not cooperating with the SPCA's inquiries, the owner allowed circumstances to persist that could result in harm or suffering to the animals.

(q) causes, procures or assist in the commission or omission of any of the aforesaid acts or, being the owner of any animal, permits the commission or omission of any such act.

(r) by wantonly or unreasonably or negligently doing or omitting to do any act or causing or procuring the commission or omission of any act, causes any unnecessary

Garden Route SPCA

Senior Inspector

Salome Bruyns

ADMISSION, ASSESSMENT AND HISTORY RECORD



Garden Route

KENNEL No.				ADMISSION No. GA5994		
Stray	☒ Surrender	☐ Abandoned	☐ Returned	☐ Impounded	☐ Confiscated	☐ Request for euthanasia
Date in	28/11/24		Time in	13:41		Date for release

IDENTIFICATION & LOST AND FOUND			Lost & Found checked	☒ Yes ☐ No	Lost & Found Date checked	28/11
Microchip/Collar or ID tag found	☐ Yes ☒ No	Date scanned or checked	NONE	Microchip or ID Tag number	NONE	

DESCRIPTION & HISTORY	Dog	☒ Cat	Other species (Specify) <u>8 km</u>			
	Breed	<u>Pitbull</u>		Colour and Markings	<u>Brown/white</u>	
	Condition	<u>fit</u>		Sex	<u>female</u>	Age
	Temperament	<u>friendly</u>		Sterilisation details	<u>NO</u>	
	Coat	<u>long</u>	Tail	<u>long</u>	Teeth Condition	<u>OK</u>
	Area found / collected from	<u>conville</u>		Ears	<u>long</u>	Size
	Reason for surrender	<u>too many dogs, son got dog from a friend</u>				
		Date				

ASSESSMENT	GOOD WITH:	Yes	No
	Children	☒	☐
	Cats	☒	☐
	Other Dogs	☒	☐
	Livestock/Other	☐	☐
	DO THEY:	Yes	No
	Jump Fences	☐	☐
	Run Away	☐	☐
	COMMENTS:		

Surrendered by	☒ Name	<u>Kiewie for dog</u>
Found by	<u>11 Korkman</u>	
Residential Address	<u>conville</u>	
Postal Address	<u>conville</u>	
Tel (H)	Tel (W)	Cell
		<u>06 3557 4573</u>
Email	<u>NONE</u>	
Donation R	Cash	Card
<u>NONE</u>		

PLEASE INSIST ON A RECEIPT

Confiscated: OB No: N/A Case No: N/A Inspector: N/A

STATEMENT OF SURRENDER

I do hereby certify that I **DO / DO NOT** own the animal/s described above, that **IT IS / IT IS NOT** a stray and I **DO / DO NOT** know where it comes from. I also freely surrender all interest, if any, therein to the SPCA, and I request that the animal be dealt with as deemed advisable in the discretion of the SPCA. It is expressly agreed that neither the SPCA nor its officers and employees will incur any obligation to me on account of such disposition of said animal/s. I confirm that I am over the age of eighteen (18) years of age. **Also see "Conditions on reversed side."**

Hiermee verklaar ek dat ek dier/e hierbo beskryf **BESIT / NIE BESIT NIE**, dat dit 'n **RONDLOPER / NIE RONDLOPER NIE** is, en dat ek **WEET / NIE WEET** waar dit vandaan kom nie. Ek doen ook vrywillig afstand van alle belange daarin, indien enige, ten gunste van die DBV en ek versoek dat die dier hanteer word soos wat die DBV goed ag. Daar word uitdrukklik ooreengekom dat nog die DBV nog sy amptenare, en werknemers enige verpligtinge het, teenoor my ten opsigte van die hantering van die dier/e. Ek bevestig dat ek bo die ouderdom van agtien (18) jaar is. **Sien ook die "Voorwaardes" op die agterblad.**

Signature	<u>X Kiewie</u>	Witness for Society	<u>[Signature]</u>
FOR OFFICE USE: PENDING ADOPTION		Details of second Applicant	
Details of first Applicant		Details of third Applicant	

Claimed ☐ Adopted ☐ Euthanased ☐ Died ☐ Other ☐ On Date: _____