



REPUBLIC OF SOUTH AFRICA

FORM 2

[Regulation 3]

APPLICATION FOR PROTECTION ORDER

SECTION 2(1) OF THE PROTECTION FROM HARASSMENT ACT, 2011 (ACT NO. 17 OF 2011)

In the Magistrate's Court for the District of STRAND

Application number: H 161 / 20 24

Name of complainant: H. J. BURGER

I form is to be lodged with the clerk of the court

Is the complainant in possession of or in the process of applying for a protection order against harassment or stalking as provided for in the Domestic Violence Act, 1998 (Act No. 116 of 1998).

Yes ☐ No ☐

PART A : APPLICATION

(*Delete whichever is not applicable)

*PLEASE INDICATE RELATIONSHIP WITH RESPONDENT ON DOTTED LINE:.....

1. PARTICULARS OF COMPLAINANT

Surname:	BURGER
Full names:	HELENA JOHANNA
Identity number:	650920 0052 086
Date of birth:	20/09/1965
Home or temporary address:	65 Hofmeyerstreet Strand
Home/contact telephone number/s:	076 250 8882
Work address:	—
Work telephone number:	—
Occupation:	—
E-mail address:	tishbite2009@live.com

***2. PARTICULARS OF PERSON MAKING THE APPLICATION ON BEHALF OF THE ABOVEMENTIONED COMPLAINANT (if applicable)**

Surname:	
Full names:	
Identity number:	
Date of birth:	
Home or temporary address:	
Home/contact telephone number/s:	
Work address:	
Work telephone number:	
Occupation:	
Nature of relationship with the complainant:	
State reason(s) why application is made on behalf of the complainant:	
Indicate whether written consent of complainant has been obtained: (Delete whichever is not applicable)	*(a) Written consent has been obtained and is attached. *(b) Written consent is not necessary since the complainant is a child (under the age of 18 years). *(c) The complainant is unable to provide written consent because:

*3.

PARTICULARS OF RELATED PERSON/S AFFECTED BY HARASSMENT (A RELATED PERSON IS ANY MEMBER OF THE FAMILY OR HOUSEHOLD OF A COMPLAINANT, OR ANY OTHER PERSON IN CLOSE RELATIONSHIP TO THE COMPLAINANT):

Name:	Age:	Relationship to complainant:
Jeanie Mantza van Loggerbaag	35	Daughter
Connor Eli Lusse	11	Grandson

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INFORMATION REGARDING ACTS OF HARASSMENT

(Take note:

(a) Supporting affidavits by persons who have knowledge of the matter concerned may accompany this application and must be annexed as an annexure to this form.

(b) If reference is made to any documents, photographs, recordings, videos etc. —
(i) the original thereof must at all times be kept by the complainant for purposes of submitting it as evidence in this application and a subsequent hearing that may take place;
(ii) copies of documents and photographs may be attached to this form as an annexure; and
(iii) copies of audio and video recordings may also be attached to this form as an annexure if it is furnished on a CD, DVD or other computer readable device and in a computer readable format and sealed in an envelope.)

(c) TAKE NOTE: All annexures to this document must be —
(i) numbered alphabetically starting with "A"; and
(ii) listed under paragraph 10, below.

Give full details of all incidents of harassment:

on Friday 08/03/2024 Salome Holdsworth (also living on the premises) has physically attacked by Mr Mauritz Rossouw and Andre de la Querra (He was in the room but I just saw Mr Rossouw sharing Salome inside her bedroom. I had to enter the house because she was screaming very loud for help. I helped her to take her last belongings out (I made a video, but not of the attack itself). While they were walking up and down Mr Rossouw kept saying to me "you are next" That is the reason why my daughter bought locks to put on for our protection (also at night) Because we are woman there and no protection. Before they left the premises they switched off our

electricity. Everything in the fridge has thawed and gone off. Now we struggle even more with a sick child also.

on the 10/03/2024 Mr Mauntz Rossauw came to the gate and took many photos of all of us, because we were sitting on the stoep. We didnt give him permission to photograph us, what does he want to do with the photo's?

on the 01/03/24 Mr Mauntz Rossauw and Andre de la Guerra came into our flat without permission while I was in the bathroom. I was not even dressed properly they invaded my privacy. At that moment I was alone there; when he Mr Rossauw started taking pictures inside and refuse to leave. knowing the and hearing of Mr Rossauws violent nature I had to wait till they finish and go.

This morning at 10h00 on 11/03/2024 Mr de la Guerra and Mr Rossauw came to the gate with police and a generator. They started grinding of the locks (that was put there for our protection). I had the keys in my hand but they still continued grinding it off. My grandson had 2 attacks (seizures) because of the stress. I got a video clip when the 2 policemen helped my grandson inside.

Mr de la Guerra threatened to kill my cat. when they went outside Mr Rossauw threatened to have me killed. This is very upsetting and disturbing. I informed my family members and friends so that they know (if something may happen).

5.

PARTICULARS OF RESPONDENT (PERSON RESPONSIBLE FOR HARASSMENT OF THE COMPLAINANT OR RELATED PERSON):

RELATIONSHIP BETWEEN COMPLAINANT AND RESPONDENT: NEIGHBOUR / FRIEND / COLLEAGUE / BOYFRIEND EX / GIRLFRIEND'S EX / WIFE'S EX / HUSBAND'S EX

*5.1

To be completed where the respondent is known to the complainant:

Surname:	Rossouw	Age:
Full names:	Mauritz ID 581004 5010 086	
Home address:		
Address where respondent can likely be found:		
Telephone number:		
Facsimile number:		
E-mail address:		
Cellular phone number:		
Work address:		
Work telephone number:		
Occupation:		

***5.2 To be completed where respondent is unknown to the complainant and uses electronic communications to harass complainant:**

The name of the service provider which provides a service to the complainant or related person over which the harassing communication was received (for example XYD Internet service provider which provides an internet service to the complainant/related person who is the owner/user of the computer which received a harassing e-mail):	
The electronic communications identity number associated with the aforementioned service to which the harassing communication was sent (for example the Internet Protocol (IP) address assigned to the computer of the complainant/related person or cellular phone number or telephone number which received the harassing communication):	

The electronic communications identity number from where the harassing communication originated, where available (for example the e-mail address and/or IP address accompanying the harassing electronic communication or a web-address which contains harassing content or cellular phone number from which the harassing communication originated):	
Date, time and duration of harassing communication, if applicable (for example the complainant received a harassing cellular phone call on 12 December 2012 at 12h00 which lasted 12 minutes):	

***5.3 To be completed where respondent is unknown to the complainant and physically harasses the complainant:**

Will you be able to identify the respondent: Yes ☐ No ☐

(a) Description of respondent:

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(b) Location where respondent can probably be found:

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(c) Any other information that might assist the South African Police Service in tracing the respondent:

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(d) (i) Did the complainant or related person make a statement under oath or affirmation at a police station that he or she intends to apply for a protection order against harassment against a person whose name and address are unknown to the complainant: Yes ☐ No ☐

(ii) If the answer under paragraph (d)(i) is yes, please state the following particulars:

At which police station was the statement made:	
Date and time of making the statement:	
Reference number:	

6. INFORMATION REGARDING URGENCY OF APPLICATION

Submit the reasons why the court has to consider the application as a matter of urgency:

To threaten my life is very serious
 Mr. Rossouw got contacts all over and everytime they
 are on the premises he threatens me that I am next!!
 The 30 days of eviction notice is not even passed yet
 and he and Andre de la Quera keep harrasing and
 insulting us
 My court date is only on 07/05/2024 - It is still far off
 in the meantime we are being threatened and harassed

7. TERMS OF PROTECTION ORDER

The court is requested to —

7.1 prohibit the respondent from —

*7.1.1 engaging in or attempting to engage in harassment of the complainant;

*7.1.2 engaging in or attempting to engage in harassment of the related persons whose particulars are provided in paragraph 3, above;

*7.1.2 enlisting the help of another person to engage in harassment of the
*complainant/*related person;

*7.1.3 committing any of the following act/s:

- (a) No to use foul, insulting or abusive language on the complainant / family in any manner whatsoever
- (b) Not to threaten harass or intimidate the complainant / family in any manner whatsoever
- (c) Not to physically assault complainant / family in any manner whatsoever
- (c) Refrain from having direct or indirect contact with complainant / family in any manner whatsoever
- (e) Not to commit any act of Harassment ito. Act 17 of 2011

*7.2 impose the following additional conditions that are necessary to protect and to provide for the safety and well-being of the *complainant/* related person:

- (a) Not to contact complainant or my family via any form of Social Media and Not to slander complainants name or family in Public or via any form of Social Media
- (b) Not to enter the Complainant's residence at:
- (c) Not to enter the Complainant's place of employment / school at:

*7.3 order (mark appropriate space and complete where necessary):

* (a)	That a member of the South African Police Service is to seize the following weapon(s)	
* (b)	That a member of the South African Police Service is to accompany the complainant or related person to the following residence:, to supervise the collection of the complainant's or related person's personal property set out in paragraph 8, below.	
* (c)	That the station commander of the police station must investigate the matter with the view to instituting a criminal prosecution against the respondent.	

***8. PERSONAL PROPERTY**

Property description:	Grounds on which property is considered to be personal property:	Address where property is kept:

9. POLICE STATION WHERE BREACH OF PROTECTION ORDER WILL LIKELY BE REPORTED

I am likely to report a breach of the protection order at the Gordon's bay, Lwandle, Strand, Somerset-West
Police Station. Please circle your nearest Saps station name above. ↑

10. INDEX OF ANNEXURES TO THIS FORM

Mark each Annexure alphabetically, starting with "Annexure A", and attach it to this form.	Give short description of Annexure, for example "statement of witness X", "CD with photographs".

WARNING:

- * It is a criminal offence to make a false statement in an affidavit for the application for a protection order.
- * The court may make an order as to costs against a party if it is satisfied that the party in question has acted frivolously, vexatiously or unreasonably.

N. J. Burger

*Signature/*thumb print/*mark of *complainant/*person
who applies for a protection order on behalf of
the complainant

11/03/2024

Date

PART B : CERTIFICATION

I certify that before administering the oath / * taking the affirmation I asked the Deponent the following questions and noted her / his answers in her / his presence as indicated below:-

- (a) Do you know and understand the contents of the above declaration? Answer: Yes
- (b) Do you have any objection to taking the prescribed oath? Answer: No
- (c) Do you consider the prescribed oath to be binding on your conscience? Answer: Yes

I certify that the Deponent has acknowledged that she / he knows and understands the contents of this declaration which was sworn to / *affirmed before me, and the Deponent's signature / *thumb print / *mark was placed thereon in my presence.

Dated at STRAND this 11 day of March 20 24

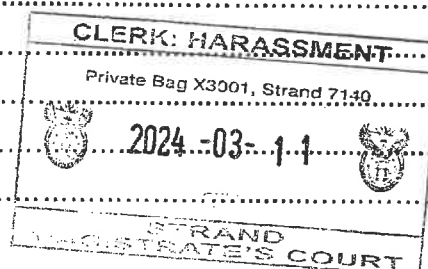
[Signature]
Justice of the Peace / Commissioner of Oaths

Full Names: C. VAN DER MERWE

Designation: ADMIN CLERK

Area for which appointed: STRAND

Business Address: GORDONS BAY ROAD, STRAND, 7140



To be completed by the clerk of the court

PART C:

1. I, C. VAN DER MERWE, the clerk of the above-mentioned court, received the application for a protection order on (date): 11/03/2024 (time): 16H15

2. I have completed the attached acknowledgement of receipt and handed it to the person who lodged this application for a protection order.

PART D:

The application for a protection order was submitted to (name and surname of magistrate):

..... on (date): (time):

Signature of clerk of the court: [Signature]

