

INDUSTRIAL CIRCULAR

TO : ALL SECURITY SERVICE PROVIDERS

FROM : STEFAN BADENHORST
ACTING DEPUTY DIRECTOR: LAW ENFORCEMENT

DATE : 5 OCTOBER 2016

SUBJECT: SECURITY DOGS & HANDLERS

With reference to the requirements of the Performing Animals Protection Act (Act No 24 of 1935) and Regulation 1672, all security service providers who uses dogs are hereby reminded that they must successfully apply for a license and certificate at the Magistrate Court in which such applicant is operational / situated. Please note that the sole director of the company must apply for a license on behalf of the company and persons responsible for training of the dogs must apply for their own licenses as they are accredited separately. They may not operate under the same license and certificate unless they are the same person. These applications must be made before 31 December 2016 and it is advised that it be done well in advance as it may take time to obtain said licenses.

A further reminder in terms of the aforementioned legislation is that any police officer (this includes a SPCA inspector) may:

(a) at any reasonable time enter upon any premises, place or vehicle in which animals are maintained, or kept or confined for the purpose of exhibition or of being trained or of being transported or in which dogs used for safeguarding are maintained, kept, confined or conveyed;

(b) inspect any such animals, dogs, premises, places or vehicles and may fully enquire into the measures and methods by which such animals or dogs are controlled, restrained, trained or used and the course of feeding such animals or dogs; and

(c) during any exhibition of trained animals, or during the use of dogs for safeguarding, or at any other time, enter upon any premises, place or vehicle or portion thereof used in connection with such exhibition or use in order to inspect such premises, place or vehicle, the animals or dogs present therein and the conditions under which such animals or dogs are maintained, controlled and fed during such exhibition or use and at other times.

Any person who wilfully obstructs, delays or otherwise interferes with a police officer (this includes a SPCA inspector) in the exercise of the powers granted, or who conceals any animal with intent to defeat the exercise of such powers, or otherwise hampers or impedes the exercise of such powers shall be guilty of an offence and liable on conviction to a fine not exceeding R4 000 or to imprisonment for a period not exceeding twelve months in addition to any other penalty imposed for the contravention of any provision of this Act or any regulation made thereunder. If a company is in violation of the Performing Animals Protection Act No 24 of 1935 (such as operating without a licence), PSIRA may also charge the security service provider in terms of the Improper Conduct Enquiries Regulations for failure to meet the requirements of the statutory Code of Conduct for Security Service Providers in the case where the business did not meet any general obligation to act in terms of any law.

Further, any offence by a security service provider (business or security officer) in terms of statutory law involving cruelty to an animal constitutes a Scheduled offence in terms of the Private Security Industry Regulation Act No 56 of 2001. Therefore, if there has been a finding of guilt in a Criminal Court for an offence involving cruelty to an animal under the Animals Protection Act No 71 of 1962, PSIRA may withdraw the registration of the security service provider in terms of Section 26(4) (d) (i) of the PSIRA Act.

We trust that the above information has been of assistance to you.

Yours faithfully



STEFAN BADENHORST

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