

Form 138 Search Warrant

Form 138

To be inserted by Court

Case Number:

Date Signed:

FDN:

SEARCH WARRANT

[*SUPREME/DISTRICT*] Delete all but one COURT OF SOUTH AUSTRALIA
CIVIL JURISDICTION

Applicant

Lodging Party	Full Name	
Name of law firm / solicitor If any	Law Firm	Solicitor

To [*INSERT PERSON(S) OR CLASS OF PERSONS AUTHORISED TO ACT UNDER WARRANT*]

Recitals

The Judge named below being satisfied on [*date*], on application by

- [] an investigator [*appointed/seconded*] under section 14 of the *Independent Commissioner Against Corruption Act 2012 (SA)*
- [] the Commissioner of Police
- [] an eligible person within the meaning of the *Australian Crime Commission Act 2002 (Cth)*

by evidence on oath that

- [] the warrant is reasonably required in the circumstances for the purposes of an investigation into a potential issue of corruption in public administration, being proper grounds for the issue of a warrant under section 31 of the *Independent Commissioner Against Corruption Act 2012*
- [] the [*documents/articles*] to which the application relates are relevant to [*identifying/tracing/locating/valuing*] a person's wealth, being proper grounds for the issue of a warrant under section 16 of the *Serious and Organised Crime (Unexplained Wealth) Act 2009*
- [] the [*person/premises*] to which the application relates might [*have/contain*] [*documents/articles*] relevant to [*identifying/tracing/locating/valuing*] a person's wealth, being proper grounds for the issue of a warrant under section 16 of the *Serious and Organised Crime (Unexplained Wealth) Act 2009*
- [] the applicant has reasonable grounds for suspecting that there may be upon land a thing connected with a special ACC [*operation/investigation*] into [*subject of operation/investigation*] and the applicant believes on reasonable grounds that, if a summons were issued for the production of the thing, it might be concealed, lost, mutilated or destroyed, being proper grounds for the issue of a warrant under section 29 of the [*Australian Crime Commission (South Australia) Act 2004/section 22 of the Australian Crime Commission Act 2002 (Cth)*]

Warrant

This warrant authorises [*name and/or position*] to

- [] enter and search [*place and/or vehicle etc*]

- [] seize [*things*]
- [] search [*place and/or vehicle etc*] and seize [*things*]
- [] enter [*place*] search [*place and/or vehicle etc*] and seize [*things*]

[] YOU ARE AUTHORISED to exercise the powers conferred by this warrant

[] between the hours of [*time*] and [*time*]

[] at any time.

This warrant expires on [*date*]

Note

The Act under which the warrant is issued prescribes the powers that may be exercised under the warrant.

Court use only

.....
Judge

.....
Name of Judge