



FORTIFICATION REMOVAL ORDER

Magistrates Court of South Australia

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Summary Offences Act 1953

Section 74BB

Registry				File No	
Address	Street		Telephone		Facsimile
	City/Town/Suburb	State	Postcode	Email Address	
Applicant	Commissioner of Police Adelaide				
Contact person				Email Address	Telephone
Occupier (if more than one, attach details)					
Name	Surname		Given name/s		DOB dd/mm/yyyy
Address	Street		Telephone		Licence Number
	City/Town/Suburb	State	Postcode	Email Address	
Owner (if more than one, attach details)					
Name	Surname		Given name/s		DOB dd/mm/yyyy
Address	Street		Telephone		Licence Number
	City/Town/Suburb	State	Postcode	Email Address	
Premises to which Order relates					
Address	Street			CT ref #	
	City/Town/Suburb	State	Postcode		
The Court was satisfied that:					
The premises to which this order relates are fortified; and					
<input type="checkbox"/> the fortifications have been created in contravention of the Development Act 1993; or <input type="checkbox"/> there are reasonable grounds to believe the premises are being, or have been, or are likely to be, used: <ul style="list-style-type: none"> <input type="checkbox"/> for or in connection with the commission of a serious criminal offence; or <input type="checkbox"/> to conceal evidence of a serious criminal offence; or <input type="checkbox"/> to keep the proceeds of a serious criminal offence; or <input type="checkbox"/> the premises are <ul style="list-style-type: none"> <input type="checkbox"/> owned by a declared organisation or a member of a declared organization; or <input type="checkbox"/> occupied or habitually used as a place of resort by members of a declared organisation. 					

Statement of grounds:

A copy of the affidavit that was used as evidence of the grounds is attached.

You, the aforementioned owner/occupier are ordered to remove / modify the following structures / devices / fortifications (specify details)

Period within which fortifications are to be removed or modified:
(not less than 14 days after service of the order)

.....
Date

.....
MAGISTRATES COURT

Right to object (section 74BE)

You may lodge a notice of objection with the Court within 14 days of being served with this order. A form of Notice of Objection may be obtained from any Registry of the Magistrates Court. You must serve a copy of the notice on the **Commissioner of Police** personally or by registered post **at least 7 days** before the day appointed for hearing of the notice.

You cannot lodge a notice of objection if a notice has previously been lodged in relation to the fortification removal order (unless proceedings in relation to the earlier notice have been discontinued).

The grounds of the objection must be stated fully and in detail in the notice of objection.

Enforcement of this Order (section 74BI)

The Commissioner of Police may cause the fortifications to be removed or modified to the extent required by this order if you do not comply with the order, unless a withdrawal notice is lodged, a notice of objection is lodged, an appeal is commenced or the Commissioner allows an extension of time.

Should you require an extension of time, you must make an application to the Commissioner of Police before the time allowed elapses.

If the fortifications are not removed or modified in the time allowed, the Commissioner, or any police officer authorised by the Commissioner, may, for the purposes of causing the fortifications to be removed or modified, enter the premises without a warrant, obtain expert or technical advice, and/or make use of any person or equipment he or she considers necessary.

The Commissioner may seize anything that may be salvaged in the course of removing or modifying fortifications under this section, and may sell or dispose of it as the Commissioner considers appropriate. If the costs of enforcing the order are not recovered, the Commissioner may recover those costs as a debt from you or another person.

