**MONITORING WARRANT**

**Aged Care Act 1997 (Cth)**

A DESIGNATED MAGISTRATE OF THE MAGISTRATES COURT OF SOUTH AUSTRALIA

SPECIAL STATUTORY JURISDICTION

**[*FULL NAME*]**

**Applicant**

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| **To [*name of the authorised person(s)*]****Recitals**(a) An Application has been made on [*date*] by [*an*] authorised officer[*s*] [*name(s)*], being [*an*] APS employee[*s*] of the Department appointed by the Secretary, pursuant to section 92-1 of the *Aged Care Act* *1997* (Cth) and section 32of the *Regulatory Powers (Standard Provisions) Act 2014* (Cth) for the issue of a warrant addressed to [*name(s)*] being [*an*] APS employee[s] of the Department appointed by the Secretary (“the authorised persons”).(b) The Magistrate is satisfied on information given [*on oath/by affirmation*] and furtherinformation provided at the hearing that: |
|  |  | it is reasonably necessary that the authorised officer[*s*] should have access to the premises described below to assess whether:* an approved provider is complying with its obligations under ss 25-3, 27-3 or 27-5 of the *Aged Care Act 1997*;
* information given in compliance, or purported compliance, with a provision under Chapter 3 of the *Aged Care Act 1997* or Chapter 3 of the *Aged Care (Transitional Provisions) Act 1997* is correct;
* a matter subject to monitoring under Part 2 of the *Regulatory Powers (Standard Provisions) Act 2014*;
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|  |  | there are proper grounds for the issue of the warrant under section 92-1 of the *Aged Care Act 1997* and section 32 of the *Regulatory Powers (Standard Provisions) Act 2014* *.* |
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| **Warrant**This warrant is issued under s 92-1 of the *Aged Care Act 1997* and section 32 of the *Regulatory Powers (Standard Provisions) Act 2014* for the purpose [*insert purpose*].This warrant authorises the authorised persons, with such assistants and by such force as is necessary and reasonable in the circumstances to: |
|  | (a) enter [*description of premises/address*]and exercise the monitoring powers under Part 2 of the *Regulatory Powers (Standard Provisions) Act 2014* (as modified by section 92-2 of the *Aged Care Act* 1997)for the purpose of [*description of purpose*]*.* |
|  | (b) [*other – specify*]. |
| This warrant:* may be executed at any time of day.
* must not be executed between the hours of [*time*] and [*time*].
* may be executed between the hours of [*time*] and [*time*].
* [*other*].

**Expiration** This warrant expires on [*date/time*], being a date not more than 3 months after the issue of this warrant.  |

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| **Authentication**…………………………………………Signature of Magistrate[*title and name*] |