

Case Number:

Date Signed:

FDN:

CONTROL ORDER WARRANT

Biosecurity Act 2015 (Cth)

[A DESIGNATED JUDGE OF THE SUPREME/A DESIGNATED JUDGE OF THE DISTRICT/A DESIGNATED MAGISTRATE OF THE MAGISTRATES] Select one COURT OF SOUTH AUSTRALIA
SPECIAL STATUTORY JURISDICTION

[FULL NAME]
Applicant

To **[name(s) of the applicant(s)]** and other biosecurity enforcement officers and biosecurity officers

Recitals

- (a) An Application has been made on [date] by [an] authorised officer[s] [name(s)], being [a] biosecurity enforcement officer[s], pursuant to section 488 of the *Biosecurity Act 2015* (Cth) for the issue of a control order warrant addressed to [name(s)] and other biosecurity enforcement officers and biosecurity officers (“the authorised persons”).
- (b) The [Judge/Magistrate] is satisfied on information given [on oath/by affirmation] [in person/by electronic means/by telephone] and further information provided at the hearing that:
- (i) there are reasonable grounds for suspecting that a disease or pest may be present in or on goods on the premises or the premises themselves and the disease or pest may pose an unacceptable level of biosecurity risk;
 - (ii) a biosecurity control order is in force under s 353 of the *Biosecurity Act 2015* in relation to the goods or premises and the disease or pest;
 - (iii) it is reasonably necessary that one or more biosecurity enforcement officers should have access to the premises to exercise powers in accordance with section 360 in relation to the goods or premises (as the case may be) for the purpose of managing the biosecurity risk posed by the disease or pest;
 - (iv) (iv) or (v) mandatory if remote application a warrant should be issued urgently;
 - (v) (iv) or (v) mandatory if remote application the delay that would occur if an application were made in person would frustrate the effective execution of the warrant;
 - (vi) there are proper grounds for the issue of the warrant under section 489 of the *Biosecurity Act 2015*.

Warrant

This warrant is issued under section 488 of the *Biosecurity Act 2015* for the purpose *[insert purpose for which the warrant is granted]*.

This warrant is an entry warrant and authorises the authorised persons, on any one or more occasions while the warrant remains in force, with such assistants and by such force as is necessary and reasonable in the circumstances, to:

- (a) enter *[description of premises, address]*;
- (b) exercise the powers set out in section 360 of the *Biosecurity Act 2015*;
- (c) if applicable be accompanied by and make use of a specified kind of animal in the exercise of the authority granted by this warrant, namely *[specify the kind of animal]*;
- (d) *[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 1 month after the issue of this warrant.

Authentication

.....
Signature of Judicial Officer
[title and name]