

Case Number:

Date Signed:

FDN:

CONVEYANCE POSSESSION 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 applicants(s)] and other biosecurity enforcement 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 conveyance possession warrant addressed to [name(s)] and other biosecurity enforcement officers (“the authorised persons”).
- (b) The [Judge/Magistrate] is satisfied on information given [on oath/by affirmation] and further information provided at the hearing that:
- (i) a biosecurity officer has, under section 209(4) of the *Biosecurity Act 2015*, requested the person in charge of the operator of the conveyance described below to [arrange for the conveyance to be dealt with or destroyed/removed from Australia] within the period of [period], and the request has not been complied with;
- a biosecurity officer has, under section 338(4) of the *Biosecurity Act 2015*, requested the person in charge of the operator of the conveyance described below to arrange for the conveyance to be [dealt with/destroyed] within the period of [period], and the request has not been complied with;
- a notice has been given to the [owner/operator] of the conveyance in accordance with section [210(3)/343(3)] of the *Biodiversity Act 2015*;
- a notice would have been required to have been given to the [owner/operator] of the conveyance in accordance with section [210(3)/343(3)] had section [210(4)/343(4)] of the *Biodiversity Act 2015* not applied;
- (ii) there are proper grounds for the issue of the warrant under section of 489 *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 authorises the authorised persons, with such assistants and by such force as is necessary and reasonable in the circumstances, to take possession of *[description of particular conveyance]* for the purpose of:

- (a) allowing the conveyance:
 - to be dealt with under section 209(5) of the *Biosecurity Act 2015*;
 - to be destroyed under section 338(5) of the *Biosecurity Act 2015*;
 - to be subject to action under section *[213(1)(d)/213(1)(e)]* as described by section 210 of the *Biosecurity Act 2015*;
 - to be subject to action under section 347(1)(d) as described by section 343 of the *Biosecurity Act 2015*;
- (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 14 days after the issue of this warrant.

Authentication

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