

Case Number:

Date Signed:

FDN:

MONITORING 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 of the authorised person(s)]**

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 481 of the *Biosecurity Act 2015* (Cth) and section 32 of the *Regulatory Powers (Standard Provisions) Act 2014* (Cth) for the issue of a warrant addressed to [name(s)] being [a] biosecurity enforcement officer[s] (“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) it is reasonably necessary that the authorised officer[s] should have access to the premises described below to assess:
 - whether the provisions of the *Biosecurity Act 2015* are being complied with;
 - whether information given in compliance, or purported compliance, with a provision under the *Biosecurity Act 2015* is correct;
 - (ii) if the authorised person intends to be accompanied by or make use of a specified animal, that:
 1. the person is authorised by the Director of Biosecurity to handle animals in the performance of his or her functions or duties or in the exercise of his or her powers under the Act; and,
 2. the animal is to be under the effective control of the person;
 - (iii) there are proper grounds for the issue of the warrant under section 481 of the *Biosecurity Act 2015* and section 32 of the *Regulatory Powers (Standard Provisions) Act 2014* .

Warrant

This warrant is issued under section 481 of the *Biosecurity Act 2015* 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 482 of the *Biosecurity Act 2015*) for the purpose of *[description of purpose]*.
- (b) 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]*.
- (c) *[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.

Authentication

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