**INVESTIGATION WARRANT**

**Education Services for Overseas Students Act 2000(Cth)**

MAGISTRATESCOURT OF SOUTH AUSTRALIA

SPECIAL STATUTORY JURISDICTION

**[*FULL NAME*]**

**Applicant**

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| **To [*name(s) of the authorised person(s)*]**  **Recitals**  (a) An Application has been made on [*date*] by [*an*] authorised person[*s*] [*name(s)*], being an authorised officer of the ESOS agency for a registered provider [*name the provider*], pursuant to section 131 of the *Education for Overseas Students Act 2000* (Cth)and section 70[*and section 71*] of the *Regulatory Powers (Standard Provisions) Act 2014* for the issue of a warrant addressed to [*name(s)*] being [*an*] authorised officer of the ESOS agency for a registered provider [*name the provider*] (“the authorised persons”).  (b) The Magistrate is satisfied on information given [*on oath/by affirmation*] [*in person/by electronic means/by telephone*] and furtherinformation provided at the hearing that: | | |
|  |  | there are reasonable grounds for suspecting that there is, or may within the next 72 hours be, at the premises described below, a thing with respect to, that may afford evidence of, or will be used in a contravention of a civil penalty provision contained in or the commission of an offence against the *Education for Overseas Students Act 2000* (Cth) or the *Tertiary Education Quality Standards Agency Act 2011* or the commission of an offence against the *Crimes Act 1914* (Cth) or the *Criminal Code* that relates to the *Education for Overseas Students Act 2000* or that relates to the *Tertiary Education Quality Standards Agency Act 2011*, namely [*details of the offence or suspected offence*]. |
|  |  | **(ii) or (iii) mandatory if remote application** a warrant should be issued urgently; |
|  |  | **(ii) or (iii) mandatory if remote application** the delay that would occur if an application were made in person would frustrate the effective execution of the warrant; |
|  |  | there are proper grounds for the issue of the warrant under section 131 of the *Education for Overseas Students Act 2000* and section 70[*and section 71*] of the *Regulatory Powers (Standard Provisions) Act 2014*)*.* |
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| **Warrant**  This warrant is issued under section 131 of the *Education for Overseas Students Act 2000* and Part 3 Division 6 of the *Regulatory Powers (Standard Provisions) Act 2014* for the purpose of investigating a suspected contravention of a civil penalty provision contained in or the commission of an offence against section(*s*) [*insert the provision to which the warrant relates*] of the *Education for Overseas Students Act 2000* or *Tertiary Education Quality Standards Agency Act 2011* or of *Crimes Act 1914* or the *Criminal Code* which relate to the *Education for Overseas Students Act 2000* or which relate to the *Tertiary Education Quality Standards Agency Act 2011*.  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*], search for and seize the following kinds of evidential material [*description of the evidential material*]. |
|  | (b) exercise the powers set out in Part 3 of the *Regulatory Powers (Standard Provisions) Act 2014* (as modified by section 131 of the *Education for Overseas Students Act 2000*) in relation to the premises described above for the purposes of section 131 of the *Education for Overseas Students Act 2000*. |
|  | (c) seize any other thing found in the course of executing this warrant if the person executing the warrant believes on reasonable grounds that:  (i) the thing is evidential material of a kind not specified in paragraph (a);  (ii) a related provision has been contravened with respect to the thing;  (iii) the thing is evidence of the contravention of a related provision; or  (iv) the thing is intended to be used for the purpose of contravening a related provision. |
|  | (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 7 days after the issue of this warrant. | |

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| **Authentication**  …………………………………………  Signature of Judicial Officer  [*title and name*] |