**MONITORING WARRANT**

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

A DESIGNATED MAGISTRATE OF THE MAGISTRATESCOURT 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 person[*s*] [*name(s)*], being an authorised officer of the ESOS agency for a registered provider [*name the provider*], pursuant to section 130 of the *Education for Overseas Students Act 2000* (Cth)and section 32of the *Regulatory Powers (Standard Provisions) Act 2014* (Cth) 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*] 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 the following are being complied with:   * a provision [*provision number*] of the *Education for Overseas Students Act 2020*. * a provision [*provision number*] of the *National Code of Practice for Providers of Education and Training to Overseas Students* under Part 4 of the *Education for Overseas Students Act 2020*. * a provision [*provision number*] of the ELICOS Standards or Foundation Program Standards. * an offence provision [*provision number*] of the *Crimes Act 1914* or the *Criminal Code* that relates to the *Education for Overseas Students Act 2020*. |
|  |  | it is reasonably necessary that the authorised officer[*s*] should have access to the premises described below to assess whether information given in compliance, or purported compliance, with the following is correct:   * a provision [*provision number*] of the *Education for Overseas Students Act 2020*. * a provision [*provision number*] of the *National Code of Practice for Providers of Education and Training to Overseas Students* under Part 4 of the *Education for Overseas Students Act 2020*. * a provision [*provision number*] of the ELICOS Standards or Foundation Program Standards. |
|  |  | it is reasonably necessary that the authorised officer[*s*] should have access to the premises described below to determine whether a registered provider, because of financial difficulty, or any other reason might not be able to provide courses to its accepted students or refund amounts to its accepted students. |
|  |  | there are proper grounds for the issue of the warrant under section 130 of the *Education for Overseas Students Act 2000* (Cth) and section 32 of the *Regulatory Powers (Standard Provisions) Act 2014* *.* |
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| **Warrant**  This warrant is issued under s 130 of the *Education Services for Overseas Students Act 2000* 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* 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*] |