

Case Number:

Date Signed:

FDN:

SEARCH WARRANT

Excise Act 1901 (Cth)

A DESIGNATED MAGISTRATE OF THE MAGISTRATES COURT OF SOUTH AUSTRALIA
SPECIAL STATUTORY JURISDICTION

[FULL NAME]
Applicant

Duplicate panel if multiple parties

Person the subject of this warrant			
Subject	Full Name		
Address for service	Street Address (including unit or level number and name of property if required)		
	City/town/suburb	State	Postcode

To *[name and/or position]/other*

Recitals

An Application has been made on [date] by [*inspector/authorised person/authorised officer/other*], [*name and/or office*] under section[s] [107BA/107CA/[and 107DG]] of the *Excise Act 1901 (Cth)* for the issue of a warrant.

The Magistrate is satisfied on information given [*on oath/by affirmation/by electronic means*] [*and further information/affidavit/other*] that:

- (a) mandatory if section 107BA selected above there are reasonable grounds for suspecting that there is, or within the next [72/48] hours there will be, any evidential material, other than evidential material that is also a forfeited good, relating to [*description of offence*] on or in the premises described below.
- (b) has reasonable grounds for suspecting that the goods referred to below, at the premises described below are forfeited goods and are, or within the next 72 hours will be, on or in the premises and has demonstrated the necessity in all the circumstances, for seizure of the goods.
- (c) a [*search/seizure*] warrant in the terms of the application should be issued urgently.
- (d) the delay that would occur if an application were made in person would frustrate the effective execution of the warrant.
- (e) there are proper grounds for the issue of the warrant under section[s] [107BA/107CA [and 107DG]] of the *Excise Act 1901 (Cth)*.

if applicable

The grounds relied upon to justify the issue of this warrant are:

Provision for numbered paragraphs

1. [description of grounds]

Mandatory if section 165(2) or 165(3) selected above

The reasons for issuing this warrant are:

Provision for numbered paragraphs

1. [description of reasons]

Warrant

This warrant authorises the person and persons to whom this warrant addresses to:

- enter and search [description of premises, address] for:
 - default selected [kind of evidential material/goods].
 - default selected if section 107BA selected above and to record fingerprints found on or in the premises, and take samples of things (other than human biological fluid or tissue) found on or in the premises for forensic purposes.
- carry out an ordinary search or a frisk search of [full name, date of birth] who is at or near the premises when the warrant is executed, if the executing officer or a person assisting suspects that the person has any evidential material in his or her possession.
- seize:
 - default selected [evidential material of the kind/the goods] described above.
 - things other than the kind of evidential material described above, found on or in [description of premises, address] in the course of the search that the executing officer or a person assisting believes in reasonable grounds to be evidential material in relation to an offence which the warrant relates or to another offence and not to be forfeited goods, if the executing officer or person assisting believes on reasonable grounds that seizure of the things is necessary to prevent their concealment, loss or destruction or their use in committing an offence.
 - any material found in course of the [frisk/ordinary] search of [full name, date of birth].
- exercise [powers].
- [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 [48 hours/7 days/6 months] after the issue of this warrant.

Authentication

.....
Signature of Magistrate
[title and name]