

Case Number:

Date Signed:

FDN:

## INVESTIGATION WARRANT

Export Control Act 2020 (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 authorised person(s)]**

### Recitals

- (a) An Application has been made on [date] by [an] authorised person[s] [name(s)], being [an] authorised officer authorised by the Secretary of the Department under s 291 of the *Export Control Act 2020*, pursuant to section 329 of the *Export Control Act 2020* (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 authorised by the Secretary of the Department under s 291 of the *Export Control Act 2020* (“the authorised persons”).
- (b) The [Judge/Magistrate] is satisfied on information given [on oath/by affirmation] [in person/by electronic means/by telephone] and further information provided at the hearing that:
- (i) 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 or the commission of an offence against the *Export Control Act 2020*, or the commission of an offence against the *Crimes Act 1914* (Cth) or the *Criminal Code* that relates to the *Export Control Act 2020*, namely [particulars of the contravention or offence].
  - (ii) (ii) or (iii) mandatory if remote application a warrant should be issued urgently;
  - (iii) (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;
  - (iv) there are proper grounds for the issue of the warrant under section 329 of the *Export Control Act 2020* and section 70 [and section 71] of the *Regulatory Powers (Standard Provisions) Act 2014*.

**Warrant**

This warrant is issued under section 329 of the *Export Control Act 2020* and Part 3 Division 6 of the *Regulatory Powers (Standard Provisions) Act 2014* for the purpose of investigating the commission of an offence [*insert the offence provisions to which the warrant relates*] against the *Export Control Act 2020* or a suspected contravention of section(s) [*insert provisions to which the warrant relates*] of the *Crimes Act 1914* or the *Criminal Code* which relate to the *Export Control Act 2020*.

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 330 of the *Export Control Act 2020*) in relation to the premises described above for the purposes of section 329 of the *Export Control Act 2020*.
- (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.

**Authentication**

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