

To be inserted by Court

Case Number:

Date Signed:

FDN:

SEARCH WARRANT

Law Enforcement Integrity Commissioner Act 2006 (Cth)

[SUPREME/DISTRICT/MAGISTRATES/YOUTH] Select one 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 authorised officer, *[name and/or office]* under section[s] *[109(1)/109(2)/109(3)/109(4) [and 111]]* of the *Law Enforcement Integrity Commissioner Act 2006 (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) only available if issuing officer is a Judge – mandatory if section 109(1) selected above there are reasonable grounds for suspecting that there is, or there will be within the next *[48/72]* hours, evidential material of the kind described below relating to *[description of corruption issue or public inquiry]* on the premises described below in relation to which the application was made.
- (b) only available if issuing officer is a Judge – mandatory if section 109(1) selected above there are reasonable grounds for believing that if a person was served with a summons to produce the evidential material described below, the material, might be concealed, lost mutilated or destroyed.
- (c) only available if issuing officer is a Magistrate – mandatory if section 109(2) selected above there are reasonable grounds for suspecting that there is, or there will be within the next *[48/72]* hours, evidential material of the kind described below relating to *[description of offence]* in the premises described below in relation to which the application was made.
- (d) only available if issuing officer is a Judge – mandatory if section 109(3) selected above there are reasonable grounds for suspecting that the person referred to below in relation to whom the application was made has in his or her

possession, or will within the next [48/72] hours have in his or her possession, evidential material relating to [description of corruption issue or public inquiry].

- (e) only available if issuing officer is a Judge – mandatory if section 109(3) selected above there are reasonable grounds for believing that, if the person was served with a summons to produce the evidential material, the material might be concealed, lost mutilated or destroyed.
- (f) only available if issuing officer is a magistrate – mandatory if section 109(4) selected above there are reasonable grounds for suspecting that the person referred to below, in relation to whom the application was made has in his or her possession, or will within the next [48/72] hours have in his or her possession, evidential material relating to [description of offence].
- (g) there are proper grounds for the issue of the warrant under section [109(1)/109(2)/109(3)/109(4)/[and 111]] of the *Law Enforcement Integrity Commissioner Act 2006* (Cth).

Warrant

This warrant authorises the person and persons to whom this warrant addresses [with such assistants and by such force as is necessary and reasonable] to:

- default selected if s 109(1) or 109(2) selected above enter [description of premises, address] to [description of purpose].
- search [description of premises, address/full name, date of birth] for:
- default selected if s 109(1) or 109(2) selected above and fingerprints found at the premises described above and to take samples of things found at the premises for forensic purposes.
 - default selected if s 109(1) or 109(2) selected above [description of kinds of evidential material].
 - default selected if s 109(3) or 109(4) selected above [full name, date of birth] and things found in the possession of that person.
 - default selected if 109(3) or 109(4) selected above any aircraft, vehicle or vessel that the person had operated or occupied at any time within 24 hours before the search began, for [description of things/kinds of things].
- default selected seize:
- default selected if s 109(1) or 109(2) selected above evidential material of the kind described above.
 - default selected things [found at the premises described above] in the course of the search that the authorised officer or the assisting officer believes on reasonable grounds to be eligible seizeable items.
 - default selected if 109(3) or 109(4) selected above [description of things/kinds of things].
- default selected seize other things found [on the premises described above/on, or in, the possession of the person or in the aircraft, vehicle or vessel described above] in the course of the search that the authorised officer or the assisting officer believes on reasonable grounds to be:
- default selected if s 109(1) or 109(3) evidential material in relation to [description of corruption issue/public inquiry].
 - default selected if s 109(2) or 109(4) a thing relevant to [description of offence].
 - evidential material or tainted property (within the meaning of the *Proceeds of Crime Act 2002* (Cth)) if the authorised officer or the assisting officer believes on reasonable grounds that seizure of the thing is necessary to prevent its concealment, loss or destruction or its use in committing an offence.
- optional if s 109(3) or 109(4) conduct an [ordinary/[or]frisk] search of the person described above.
- optional if s 109(1) or 109(2) conduct an [ordinary/[or]frisk] search of a person at or near the premises if the authorised officer or the assisting officer suspects on reasonable grounds that the person has in his or her possession:
- default selected evidential material in relation to [description of corruption issue/public inquiry].
 - default selected a thing relevant to [description of offence].
 - default selected evidential material or tainted property (within the meaning of the *Proceeds of Crime Act 2002* (Cth)) if the authorised officer or the assisting officer believes on reasonable grounds that seizure of the thing is necessary to prevent its concealment, loss or destruction or its use in committing an offence.
 - default selected a thing relevant to an indictable offence.
 - default selected any eligible seizeable items.
- default selected if 109(3) or 109(4) selected above record fingerprints from things.
- default selected if 109(3) or 109(4) selected above take forensic samples from things.

[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] after the issue of this warrant.

Authentication

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