

**To be inserted by Court**

Case Number:

Date Signed:

FDN:

**MONITORING ORDER – ASSET CONFISCATION**  
**Criminal Assets Confiscation Act 2005/Proceeds of Crime Act 2002 (Cth)**

DISTRICT COURT OF SOUTH AUSTRALIA  
SPECIAL STATUTORY JURISDICTION

**[FULL NAME]**  
**Applicant**

Duplicate panel if multiple parties

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

**Introduction****Hearing**

Hearing Location: [suburb]

[Hearing date] [Listed starting time]

Hearing type:

[Actual hearing start time] - [Actual hearing end time]

[Presiding Officer]

**Appearances**

[Applicant Appearance Information]

**Recitals**

An Application has been made on [date] by the Applicant an authorised officer under section 165 of the *Criminal Assets Confiscation Act 2005* and for a monitoring order.

The Court is satisfied that:

(a) there are reasonable grounds for suspecting that the respondent:

- has committed, or is about to commit, a serious offence.
- was involved in the commission, or is about to be involved in the commission, of a serious offence.

has benefited directly or indirectly, or is about to benefit directly or indirectly, from the commission of a serious offence.

(b) there are proper grounds for making a Monitoring Order under [section 165 of the Criminal Assets Confiscation Act 2005/section 219 of the Proceeds of Crime Act 2002 (Cth)].

**Order**

**Date of Order:** [date]

**Terms of Orders**

It is ordered that:

1. The Financial Institution identified below must provide information about transactions conducted during the period [date] to [date] through an account identified below by the person subject of this order as soon as practicable.

Financial Institution name: [Financial Institution]

Financial Institution address: [Financial Institution]

Name of account/s with Financial Institution: [Full Name]

2. The kind of information that the Financial Institution is required to give about these transactions is [description of information].

3. This information is to be provided to [name of enforcement agency] by way of [communication method].

4. The form and manner in which this information is to be given is [method of reporting].

5. The Financial Institution must not disclose the existence or nature of this order, or disclose information to another person from which the other person could infer the existence or nature of this order, except a disclosure that is:

- (a) authorised by this order;
- (b) necessary to comply with this order;
- (c) made for the purpose of obtaining legal advice or legal representation in relation to this order; or
- (d) made for the purposes of, or in the course of, legal proceedings.

6. This monitoring order commences on [date] no earlier than the day on which notice of the monitoring order is given to the financial institution and expires on [date] no later than 3 months after the date of the order

**To the Financial Institution: WARNING**

If you disclose the existence or nature of this order to another person or disclose information to another person from which the other person could infer the existence or nature of this order, you will be guilty of an offence and may be liable for imprisonment for 4 years or a \$20,000 fine.

If you otherwise fail to comply with this order, you will be guilty of an offence and may be liable for imprisonment for 6 months or a \$2,500 fine.

**Authentication**

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