

AUSTRALIAN CAPITAL TERRITORY

Australian Crime Commission (ACT) Act 2003 s.32 (Search warrants)

Approved form AF2004- 15

Search Warrant

TO *[insert full name of person to whom warrant is issued]*, **[a police officer and member of the staff of the ACC] *[any other person]* who is the executing officer for this warrant:

On the basis of—

- (a) an application made **[under section 32(1)] *[by telephone under section 33(1)]* of the **Australian Crime Commission (ACT) Act 2003** for the issue of a warrant under the Act, section 32 in relation to—
- *[land situated at [insert address];]*
- *[premises situated at [insert address];]*
- *[the vessel [insert name] owned by [insert name and address of owner];]*
- *[the aircraft [insert identifying marks] owned by [insert name and address of owner];]*
- *[the vehicle, the registration number of which is [insert registration number of the vehicle], a [insert type of vehicle] that is owned by [insert name and address of owner];] and*
- (b) information given to me **[by affidavit] *[by affidavit and orally]* that there are reasonable grounds for issuing this warrant under the **Australian Crime Commission (ACT) Act 2003**, section 32 for the purposes of seizing and preventing the concealment, loss, mutilation or destruction of any of the things specified in Schedule 1, that may be in or on the **[land] *[premises] *[vessel] *[aircraft] *[vehicle]* on *[insert date of application or a date within 1 month after the date of application]* and that are connected with the special ACC **[operation] *[investigation]* specified in Schedule 2;

I *[insert full name of issuing officer]*, a **[Judge] *[Federal Magistrate]* of *[insert name of court]*, being satisfied that there are reasonable grounds for issuing a warrant, authorise you, with such assistance as you think necessary and using no more force than is reasonably necessary for the execution of this warrant:

- (a) **[at any time of the day or night] *[between the hours of [am/pm and am/pm] to enter *[upon] *[into] the *[land] *[premises] *[vessel] *[aircraft] *[vehicle];] and*
- (b) to search the **[land] *[premises] *[vessel] *[aircraft] *[vehicle]* for things of a relevant kind specified in Schedule 1 that are connected with the special ACC **[operation] *[investigation]* specified in Schedule 2; and
- (c) to seize things of a relevant kind specified in Schedule 1 that are connected with the special ACC **[operation] *[investigation]* specified in Schedule 2 found **[upon] *[in] the *[land]*

*[premises] *[vessel]*[aircraft] *[vehicle] and to deliver them to any person participating in the special ACC *[operation] *[investigation].

THIS WARRANT ceases to have effect at the end of [*insert date that is not later than 1 month after the date of issue of the warrant*].

Issued at: [*insert place of issue*] on: [*insert date of issue*]

by: [signature and designation of issuing officer]

*(The following statement is to be completed by the issuing officer if the warrant is issued on an application made by telephone under the **Australian Crime Commission (ACT) Act 2003**, section 33.)*

*[This warrant is issued for the following reasons: [*insert the reasons*]

SCHEDULE 1

[Insert a description of the particular thing or things, connected with the special ACC operation/investigation specified in Schedule 2, that is, or are, authorised to be seized by the executing officer under this warrant]

SCHEDULE 2

- 1 The special ACC *[operation] *[investigation] is [*insert description of the special ACC operation/investigation*].
2. The relevant criminal activity that is the subject of the special ACC *[operation] *[investigation] is [*insert description of the relevant criminal activity, specifying the serious and organised crime to which the activity relates*].
3. The ACC is conducting a special *[operation] *[investigation] in accordance with a determination by the Board of the ACC under the **Australian Crime Commission (ACT) Act 2003**, section 11 that the *[ACC Territory intelligence operation]*[ACC Territory investigation] is a special *[operation] *[investigation]. The determination of the Board is [*insert details of the determination of the Board*].

* Omit if inapplicable
