

South Australia

## **Criminal Investigation (Extraterritorial Offences) Regulations 1986**

under the *Criminal Investigation (Extraterritorial Offences) Act 1984*

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### **Contents**

- 1 Short title
- 2 Search warrant issued on personal application
- 3 Search warrant issued on telephone application
- 4 Notice of seizure

Schedule—Forms

Legislative history

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#### **1—Short title**

These regulations may be cited as the *Criminal Investigation (Extraterritorial Offences) Regulations 1986*.

#### **2—Search warrant issued on personal application**

A search warrant issued by a magistrate pursuant to section 4(1) of the Act, upon personal application, shall be in accordance with Form No 1 of the Schedule.

#### **3—Search warrant issued on telephone application**

A search warrant issued by a magistrate pursuant to section 4(1) of the Act upon telephone application shall be in accordance with Form No 2 of the Schedule.

#### **4—Notice of seizure**

A notice under section 5(6)(a) of the Act shall be in accordance with Form No 3 of the Schedule.

## Schedule—Forms

### Form 1

Regulation 1

*Criminal Investigation (Extraterritorial Offences) Act 1984*

### Warrant under section 4

(application made personally)

WHEREAS

- 1 I ....., a magistrate have received an application, made personally and verified by affidavit, for a search warrant from .....  
..... (name) ..... (rank)  
..... (number), a member of the police force.
- 2 Upon the application, I am satisfied that there are reasonable grounds to believe—
  - (a) that an offence to which the Act applies has been or is intended to be, committed;  
and
  - (b) there is an object relevant to the investigation of that offence in the following premises:

I AUTHORISE any member of the police force, with such assistants as the member thinks necessary, to enter and search the premises described in paragraph 2 and anything in those premises.

\*This warrant shall not be executed at night.

\*This warrant may be executed—

\*(a) at night;

\*(b) during the following hours of the night:

..... to .....

This warrant shall expire at the expiration of one month from the date appearing below.

Dated this ..... day of ....., 20 .....

.....

Signature of magistrate issuing warrant

*\*Strike out whichever is inapplicable (see section 5(2) of the Act)*

## Form 2

Regulation 2

*Criminal Investigation (Extraterritorial Offences) Act 1984*

### Warrant under section 4

(application by telephone)

WHEREAS

1 I ....., a magistrate, have received an application by telephone for a search warrant in accordance with section 4(5) of the Act from ..... (name) ..... (rank) ..... (number), a member of the police force.

2 It appears to me from the information furnished by the applicant that there are proper grounds for the issue of a search warrant in respect of the following premises:

3 I have informed the applicant of the facts on which I rely for the issue of the warrant and the applicant has undertaken to make an affidavit verifying those facts.

I AUTHORISE any member of the police force, with such assistants as the member thinks necessary, to enter and search the premises described in paragraph 2 and anything in those premises.

\*This warrant shall not be executed at night.

\*This warrant may be executed—

\*(a) at night;

\*(b) during the following hours of the night:

..... to .....

This warrant shall expire at the expiration of one month from the date appearing below.

Dated this ..... day of ....., 20.....

.....  
Signature of magistrate issuing warrant

*\*Strike out whichever is inapplicable (see section 5(2) of the Act)*

Notation of facts by Magistrate (section 4(5)(d)):

### **Form 3**

Regulation 3

*Criminal Investigation (Extraterritorial Offences) Act 1984*  
Section 5(6)

#### **Notice of seizure**

(1) ..... (2) .....  
a member of the police force of the State of South Australia have seized and removed the  
following namely (3) .....  
from a place namely (4) .....  
situated at (5) .....  
under the Authority of a Search Warrant issued by (6) .....  
on (7) ..... at (8) ..... in the State of South Australia.

.....  
(Member of the Police Force)

- (1) Name of police officer;
- (2) Rank of police officer;
- (3) Description of objects/things seized;
- (4) Description of place;
- (5) Location;
- (6) Name of magistrate;
- (7) Date of issue of warrant;
- (8) Place of issue of warrant.

## Legislative history

### Notes

- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes or [www.legislation.sa.gov.au](http://www.legislation.sa.gov.au).

### Revocation of regulations

The *Criminal Investigation (Extraterritorial Offences) Regulations 1986* were revoked by Sch 2 of the *Criminal Investigation (Extraterritorial Offences) Regulations 2010* on 26.8.2010.

### Principal regulations

Year	No	Reference	Commencement
1986	52	<i>Gazette 10.4.1986 p874</i>	10.4.1986