

Version No. 003
Crimes (Search Warrant) Regulations 2004
S.R. No. 141/2004

Version incorporating amendments as at 3 September 2009

TABLE OF PROVISIONS

<i>Regulation</i>	<i>Page</i>
1 Objective	1
2 Authorising provision	1
3 Commencement	1
4 Form of search warrant	1
<hr/>	
SCHEDULE—Search Warrant	2
<hr/> <hr/>	
ENDNOTES	4
1. General Information	4
2. Table of Amendments	5
3. Explanatory Details	6

Version No. 003
Crimes (Search Warrant) Regulations 2004
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1 Objective

The objective of these Regulations is to prescribe a form of search warrant for the purposes of section 465 of the **Crimes Act 1958**.

2 Authorising provision

These Regulations are made under section 465(4) of the **Crimes Act 1958**.

3 Commencement

These Regulations come into operation on 22 November 2004.

4 Form of search warrant

A warrant issued by a magistrate under section 465 of the **Crimes Act 1958** must be in the form in the Schedule.

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S.R. No. 141/2004

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amended by
No. 102/2009
reg. 5.

SCHEDULE

Regulation 4

SEARCH WARRANT

Crimes Act 1958—section 465

Court ref:

Name and description of article, thing, or material:

(Insert relevant details)

* Place where search will be conducted for article, thing or material:

(Set out full address of premises to be searched)

* Vehicle located in a public place where search will be conducted for article, thing or material:

(Set out identifying details of vehicle to be searched)

Reasons for search or description of suspected offence:

(Insert reasons or description)

This warrant authorises:

(Name, Rank and No.)

of

(Agency and Address)

Or all members of the police force:

- to break, enter and search any *place/*specified vehicle located in a public place named or described in this warrant for any article, thing or material of any kind described in this warrant;

AND

- to bring the article, thing or material before the Court so that the matter may be dealt with according to law;

AND

- to arrest any person apparently having possession, custody or control of the article, thing or material.

Crimes (Search Warrant) Regulations 2004

S.R. No. 141/2004

Sch.

- * I am satisfied that there are reasonable grounds that certain articles, things or material namely:

(hereinafter referred to as "the said property") is tainted property within the meaning of the **Confiscation Act 1997** and I direct that the applicant hold or retain the said property as if it were tainted property seized under section 79 of the **Confiscation Act 1997** as and from the date when the property is no longer required for evidentiary purposes under the **Crimes Act 1958**.

If a person is arrested

You must cause any person apparently having possession, custody or control of any article, thing or material described in this warrant when arrested:

- to be brought before a bail justice or the Court within a reasonable time of being arrested to be dealt with according to law; OR
- to be released on bail in accordance with the endorsement on this warrant.

CERTIFICATE OF BAIL

Any person arrested under this warrant may be released upon entering an undertaking of bail to appear at the Magistrates' Court at on the following conditions:

This warrant is authorised by section 465 of the **Crimes Act 1958**.

Given under my hand at: (place) at (time) *am/pm on (date)

Signature: Magistrate: (name)

*Strike out words which are not applicable

ENDNOTES

1. General Information

The Crimes (Search Warrant) Regulations 2004, S.R. No. 141/2004 were made on 16 November 2004 by the Governor in Council under section 465(4) of the **Crimes Act 1958**, No. 6231/1958 and came into operation on 22 November 2004: regulation 3.

The Crimes (Search Warrant) Regulations 2004 will sunset 10 years after the day of making on 16 November 2014 (see section 5 of the **Subordinate Legislation Act 1994**).

Crimes (Search Warrant) Regulations 2004

S.R. No. 141/2004

Endnotes

2. Table of Amendments

This version incorporates amendments made to the Crimes (Search Warrant) Regulations 2004 by statutory rules, subordinate instruments and Acts.

Crimes (Search Warrant) Amendment Regulations 2009, S.R. No. 102/2009

Date of Making: 1.9.09

Date of Commencement: 3.9.09: reg. 3

3. Explanatory Details

No entries at date of publication.