Schedule 1 — Forms

[r. 3]

			[+]
	No.	Form	Section of Act
-	1	Warrant	13, 14, 17, 19 and 22
	2	Application for emergency authorization	21
	3	Emergency authorization	21
	4	 Application for — tracking device warrant tracking device (maintenance/retrieval) warrant 	15 and 19

Supreme Court Judge
 Magistrate
 At.....

Person to	Name			
whom warrant	Member of police force			
is issued	Anti-Corruption Commission officer			
	Member of staff of Australian Crime Commission			
	□ Warrant issued on behalf of another law enforcement officer			
	(Name)			
Person, object	Person			
or premises	Unknown person			
under	Object			
surveillance	Premises			
501 (01101100				
Offence	Offence			
	Act or Regulations			
	Section or regulation no.			

A 41 4 4	This warmant authorizes you		
Authority to	This warrant authorizes you —		
use	to attach or install, use, maintain and retrieve a —		
surveillance	listening device		
device	optical surveillance device		
uevice	tracking device		
	in relation to a tracking device attached to, or installed in, a		
	vehicle, to —		
	maintain the device		
	retrieve the device		
	maintain and retrieve the device		
	\Box to retrieve a —		
	listening device		
	optical surveillance device		
	□ tracking device		
	attached or installed under an emergency authorization		
	The surveillance device may be attached or installed, used or maintained —		
	in, on or at the premises under surveillance		
	in or on the object under surveillance		
	in respect of the private conversations, private activities or		
	geographical location of the person under surveillance, at		
	premises where the person is reasonably believed to be or is likely		
	to be		
	• Where practicable the surveillance device should be retrieved or		
	rendered inoperable during the period that the warrant is in force		
Authority to	This warrant authorizes you to enter, by force if necessary —		
enter premises	(specified premises)		
•			
	any premises where the object or person under surveillance is		
	reasonably believed to be or is likely to be and any premises		
	adjoining or providing access to those premises		
	any premises where the vehicle on or in which the device is		
	attached or installed may for the time being be		
	any premises where the surveillance device to be retrieved may		
	for the time being be		

Authority to	This warrant authorizes you to connect the surveillance device to an
use electricity	electricity supply system and to use electricity from that system to operate
supply	the device

Authority to	This warrant authorizes you to temporarily remove this vehicle from							
remove vehicle	this premises for the purpose of —							
	attaching installing							
	maintaining retrieving							
	a tracking device							
	Vehicle							
	Premises							
	You must return the vehicle to the premises when the device has been							
	attached, installed, maintained or retrieved							

Period of	//to//, beingdays
warrant	The warrant may be used at any time of the day or night

Conditions	This warrant is subject to these conditions						

Issue of	Signature	
warrant	Judge / Magistrate	
	Date	Time

Surveillance Devices Act 1998, s. 21

Application for emergency authorization

Applicant	Name					
	Business address					
	Postcode					
	Phone no.					
	□ Member of police force					
	Anti-Corruption Commission officer					
	Member of staff of Australian Crime Commission					
Person, object	Person					
or premises	Unknown person					
under	□ Object					
surveillance	□ Premises					
Action for	Authorization is required to —					
which	□ attach or install □ use □ maintain					
authorization	a listening device to record, monitor, or listen to a private					
is required	conversation					
	an optical surveillance device to record visually or observe					
	a private activity					
	a tracking device to determine the geographical location of a					
	person or object					
	in relation to the —					
	premises under surveillance					
	object under surveillance					
	person under surveillance					
	□ retrieve —					
	a listening device					
	an optical surveillance device					
	a tracking device					

Grounds	Imminent threat Imminent of serious violence to a person			
		Name		
		Threat of substantial damage to property		
		Description		

Grounds cont.	Drug offence or ACC scheduled offence		
	□ Indictable drug offence		
	Relevant section of Misuse of Drugs Act 1981 —		
	$\Box 6(1)$ $\Box 7(1)$ $\Box 33(1)(a)$ $\Box 33(2)(a)$		
	External indictable drug offence		
	External law		
	Corresponding section of Misuse of Drugs Act 1981 —		
	$\Box 6(1)$ $\Box 7(1)$ $\Box 33(1)(a)$ $\Box 33(2)(a)$		
	□ ACC Scheduled offence		
	Offence		
	Relevant Act		
	section		
	The offence —		
	□ has been committed □ may have been committed		
	 has been committed may have been committed is being committed is about to be committed 		
	is likely to be committed		
	Date offence committed or expected to be committed		
	The use of the surveillance device is immediately necessary for the		
	purpose of —		
	• dealing with the threat		
	investigating the offence		
	\square enabling evidence to be obtained of —		
	□ the commission of the offence		
	□ the identity of the offender		
	□ the location of the offender		
	These factors make the circumstances serious		
	These factors make the matter urgent		
	Reasons an application under section 15 or 16 for a warrant is not		
	practicable		
	Pression		
	· · · · · · · · · · · · · · · · · · ·		

Grounds cont.	inds cont. Retrieval to avoid jeopardizing investigation of drug offence					
		☐ Indictable drug offence				
		Relevant section of Misuse of Drugs Act 1981 —				
	$\Box 6(1)$ $\Box 7(1)$ $\Box 33(1)(a)$ $\Box 33(2)(a)$					
	External indictable drug offence					
		External law:				
		Corresponding se	ection of Misu.	se of Drugs Act 198	1 —	
	3 3(1)(a)	3 3(2)(a)				
	The	These factors make the circumstances serious				
	The	se factors make th	e matter urgen	t		
	Reasons an application under section 22 for a warrant is not practicable_					

Entry to	Entry, by force if necessary, is required to —
premises	□ (specified premises)
	any premises where the object or person under surveillance is
	reasonably believed to be or is likely to be and any premises
	adjoining or providing access to those premises
Use of	Authorization is required to connect the surveillance device to an
	electricity supply system and use electricity from that system to operate
electricity	the device
supply	the device
Removal of vehicle	 Authorization is required to temporarily remove a vehicle from a premises for the purpose of — attaching installing maintaining retrieving a tracking device Vehicle Premises
Period of authorization	Period for which authorization is requireddays Reason this period is required
Signature of applicant	Date

Surveillance Devices Act 1998, s. 21

Emergency authorization

Authorized	
	Name
person	Commissioner of Police
1	Deputy Commissioner of Police
	Assistant Commissioner of Police
	 Anti-Corruption Commission officer authorized by —
	Chairman of the Anti-Corruption Commission
	□ 2 members of the Anti-Corruption Commission
	Person authorized by Chair of Board of Australian Crime
	Commission
Person to	Name
whom	Member of the police force
authorization is	Anti-Corruption Commission officer
issued	Member of staff of Australian Crime Commission
Person, object	Person
or premises	□ Unknown person
under	□ Object
surveillance	□ Premises
sui veinance	
Authorization	This outhomization outhomizes you to
	This authorization authorizes you to —
to use	attach or install use maintain
surveillance	a listening device to record, monitor, or listen to a private
device	conversation
	an optical surveillance device to record visually or observe a
	private activity
	a tracking device to determine the geographical location of a
	person or object
	in relation to the —
	premises under surveillance
	• object under surveillance
	person under surveillance
	□ retrieve —
	a listening device
	an optical surveillance device
	a tracking device
Authority to	Entry, by force if necessary, is required to —
enter premises	(specified premises)
· · · · ·	
	any promises where the chiest or response where '11
	any premises where the object or person under surveillance is
	reasonably believed to be or is likely to be and any premises
	adjoining or providing access to those premises
Authority to	This authorization authorizes you to connect the surveillance
radio ity to	
	device to an electricity supply system and to use electricity from that
use electricity supply	device to an electricity supply system and to use electricity from that system to operate the device.

Authority to	This authorization authorizes you to temporarily remove this
remove vehicle	vehicle from this premises for the purpose of —
	□ attaching □ installing
	maintaining retrieving
	a tracking device
	Vehicle
	Premises
	You must return the vehicle to the premises when the device has been
	attached, installed, maintained or retrieved

Period of	/to/, being	days
authorization	The authorization may be used at any time of the day or night	

Conditions	This authorization is subject	to these conditions
Authorized person(s)	Signature	
	Date	Time
	Signature	
	Date	Time

Surveillance Devices Act 1998, ss. 15 and 19

Application for —

tracking device warrant

• tracking device (maintenance/retrieval) warrant

Applicant	Name	
	Business address	
	Postcode	
	Phone no.	
	Member of police force	
	Anti-Corruption Commission officer	
	Member of staff of Australian Crime Commission	
	Application is made on behalf of another law enforcement	
	officer (Name)	

Person, object	Person (see note 1)
or premises	Unknown person
under	Object
surveillance	Premises

Nature of	Tracking device warrant (s. 13)
warrant	Tracking device (maintenance/retrieval) warrant (s. 14) to
	maintain a tracking device
	retrieve a tracking device
	maintain and retrieve a tracking device
	New warrant

Period of	Period for which warrant is requireddays
warrant	Reason this period is required

Grounds	Tracking device warrant (s. 13)
	Offence
	Act or Regulations
	Section or regulation no.
	The offence —
	□ has been committed □ may have been committed
	□ is being committed □ is about to be committed
	is likely to be committed
	Date offence committed or expected to be committed
	The use of a surveillance device would be likely to —
	assist an investigation into the offence
	\Box enable evidence to be obtained of —
	□ the commission of the offence
	□ the identity of the offender
	□ the location of the offender
	Tracking device (maintenance/retrieval) warrant (s. 14)
	Vehicle

	Location when device installed
	Current location
	Person who installed device
	Member of police force
	Anti-Corruption Commission officer
	Member of staff of National Crime Authority
	Member of prescribed class of persons
	Specify class
Entry to	Entry, by force if necessary, is required to —
premises	Generative (specified premises)
	any premises where the object or person under surveillance
	is reasonably believed to be or is likely to be and any
	premises adjoining or providing access to those premises any premises where the vehicle on or in which the device is
	attached or installed may for the time being be
	any premises where the surveillance device to be retrieved
	may for the time being be
Use of	
Use of electricity	Authority is required to connect the surveillance device to an electricity supply system and use electricity from that system to
supply	operate the device
Removal of	Authority is required to temporarily remove a vehicle from a
vehicle	premises for the purpose of —
	attaching installing
	maintaining retrieving
	a tracking device
	Vehicle
	Premises
Signature of	
applicant	Date

Note 1 — Identification of person under surveillance
The person under surveillance may be identified by a numerical reference identifying the
relevant law enforcement agency and the year in which the application is made.
For example —WAPS 1/1999 (for the first application in 1999 by a member of the WA
police force)
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Note 2 — Lodging of Application for warrant

The application is to be lodged with the Magistrate.

- An application must be accompanied by —
- an "Authorization of surveillance"; and
- an affidavit containing a "Statement of facts in support of application for warrant" in accordance with *Surveillance Devices Act 1998*, s. 15(3)(a), (b), (c) and (f).

An application should also be accompanied by a draft warrant in the form of the warrant being sought.

[Schedule 1 amended in Gazette 8 February 2000 pp.458-60; amended by No. 74 of 2004 s. 73(3) and (4).]