

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 — <ul style="list-style-type: none">• tracking device warrant• tracking device (maintenance/retrieval) warrant	15 and 19

Warrant

Supreme Court Judge

Magistrate

At.....

Strike out any parts of this form that are not applicable

Person to whom warrant is issued	Name
	<input type="checkbox"/> Member of police force <input type="checkbox"/> Anti-Corruption Commission officer <input type="checkbox"/> Member of staff of National Crime Authority <input type="checkbox"/> Warrant issued on behalf of another law enforcement officer (Name)

Person, object or premises under surveillance	<input type="checkbox"/> Person _____
	<input type="checkbox"/> Unknown person
	<input type="checkbox"/> Object _____
	<input type="checkbox"/> Premises _____

Offence	Offence _____
	Act or Regulations _____
	Section or regulation no. _____

Authority to use surveillance device	<p>This warrant authorizes you —</p> <ul style="list-style-type: none"> <input type="checkbox"/> to attach or install, use, maintain and retrieve a — <ul style="list-style-type: none"> <input type="checkbox"/> listening device <input type="checkbox"/> optical surveillance device <input type="checkbox"/> tracking device <input type="checkbox"/> in relation to a tracking device attached to, or installed in, a vehicle, to — <ul style="list-style-type: none"> <input type="checkbox"/> maintain the device <input type="checkbox"/> retrieve the device <input type="checkbox"/> maintain and retrieve the device <input type="checkbox"/> to retrieve a — <ul style="list-style-type: none"> <input type="checkbox"/> listening device <input type="checkbox"/> optical surveillance device <input type="checkbox"/> tracking device attached or installed under an emergency authorization
	<p>The surveillance device may be attached or installed, used or maintained —</p> <ul style="list-style-type: none"> <input type="checkbox"/> in, on or at the premises under surveillance <input type="checkbox"/> in or on the object under surveillance <input type="checkbox"/> 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
	<input type="checkbox"/> Where practicable the surveillance device should be retrieved or rendered inoperable during the period that the warrant is in force

Application for emergency authorization

Strike out any parts of this form that are not applicable

Applicant	Name
	Business address
	Postcode
	Phone no.
	<input type="checkbox"/> Member of police force <input type="checkbox"/> Anti-Corruption Commission officer <input type="checkbox"/> Member of staff of National Crime Authority

Person, object or premises under surveillance	<input type="checkbox"/> Person _____ <input type="checkbox"/> Unknown person <input type="checkbox"/> Object _____ <input type="checkbox"/> Premises _____
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Action for which authorization is required	Authorization is required to — <input type="checkbox"/> attach or install <input type="checkbox"/> use <input type="checkbox"/> maintain <input type="checkbox"/> a listening device to record, monitor, or listen to a private conversation <input type="checkbox"/> an optical surveillance device to record visually or observe a private activity <input type="checkbox"/> a tracking device to determine the geographical location of a person or object in relation to the — <input type="checkbox"/> premises under surveillance <input type="checkbox"/> object under surveillance <input type="checkbox"/> person under surveillance <input type="checkbox"/> retrieve — <input type="checkbox"/> a listening device <input type="checkbox"/> an optical surveillance device <input type="checkbox"/> a tracking device
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Grounds	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: left;">Imminent threat</th> </tr> <tr> <td> <input type="checkbox"/> Threat of serious violence to a person Name _____ </td> </tr> <tr> <td> <input type="checkbox"/> Threat of substantial damage to property Description _____ </td> </tr> </table>	Imminent threat	<input type="checkbox"/> Threat of serious violence to a person Name _____	<input type="checkbox"/> Threat of substantial damage to property Description _____
Imminent threat				
<input type="checkbox"/> Threat of serious violence to a person Name _____				
<input type="checkbox"/> Threat of substantial damage to property Description _____				

	These factors make the circumstances serious _____ _____ _____ These factors make the matter urgent _____ _____ _____ Reasons an application under section 22 for a warrant is not practicable_ _____ _____ _____
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Entry to premises	Entry, by force if necessary, is required to — <input type="checkbox"/> (specified premises) _____ _____ <input type="checkbox"/> 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
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Use of electricity supply	<input type="checkbox"/> Authorization is required to connect the surveillance device to an electricity supply system and use electricity from that system to operate the device
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Removal of vehicle	<input type="checkbox"/> Authorization is required to temporarily remove a vehicle from a premises for the purpose of — <input type="checkbox"/> attaching <input type="checkbox"/> installing <input type="checkbox"/> maintaining <input type="checkbox"/> retrieving a tracking device Vehicle _____ Premises _____
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Period of authorization	Period for which authorization is required _____ days Reason this period is required _____ _____
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Signature of applicant	Date _____
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Emergency authorization

Strike out any parts of this form that are not applicable

Authorized person	Name <input type="checkbox"/> Commissioner of Police <input type="checkbox"/> Deputy Commissioner of Police <input type="checkbox"/> Assistant Commissioner of Police <input type="checkbox"/> Anti-Corruption Commission officer authorized by — <input type="checkbox"/> Chairman of the Anti-Corruption Commission <input type="checkbox"/> 2 members of the Anti-Corruption Commission <input type="checkbox"/> Person authorized by Chairperson of National Crime Authority
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Person to whom authorization is issued	Name <input type="checkbox"/> Member of the police force <input type="checkbox"/> Anti-Corruption Commission officer <input type="checkbox"/> Member of staff of National Crime Authority
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Person, object or premises under surveillance	<input type="checkbox"/> Person _____ <input type="checkbox"/> Unknown person <input type="checkbox"/> Object _____ <input type="checkbox"/> Premises _____
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Authorization to use surveillance device	This authorization authorizes you to — <input type="checkbox"/> attach or install <input type="checkbox"/> use <input type="checkbox"/> maintain <input type="checkbox"/> a listening device to record, monitor, or listen to a private conversation <input type="checkbox"/> an optical surveillance device to record visually or observe a private activity <input type="checkbox"/> a tracking device to determine the geographical location of a person or object in relation to the — <input type="checkbox"/> premises under surveillance <input type="checkbox"/> object under surveillance <input type="checkbox"/> person under surveillance <input type="checkbox"/> retrieve — <input type="checkbox"/> a listening device <input type="checkbox"/> an optical surveillance device <input type="checkbox"/> a tracking device
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Authority to enter premises	Entry, by force if necessary, is required to — <input type="checkbox"/> (specified premises) _____ _____ <input type="checkbox"/> 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
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Authority to use electricity supply	<input type="checkbox"/> This authorization authorizes you to connect the surveillance device to an electricity supply system and to use electricity from that system to operate the device.
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Authority to remove vehicle	<input type="checkbox"/> This authorization authorizes you to temporarily remove this vehicle from this premises for the purpose of — <ul style="list-style-type: none"> <input type="checkbox"/> attaching <input type="checkbox"/> installing <input type="checkbox"/> maintaining <input type="checkbox"/> 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 authorization	___/___/___ to ___/___/___, being _____ days
	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

Application for —

- **tracking device warrant**
- **tracking device (maintenance/retrieval) warrant**

Strike out any parts of this form that are not applicable

Applicant	Name
	Business address
	Postcode
	Phone no.
	<input type="checkbox"/> Member of police force <input type="checkbox"/> Anti-Corruption Commission officer <input type="checkbox"/> Member of staff of National Crime Authority <input type="checkbox"/> Application is made on behalf of another law enforcement officer (Name)

Person, object or premises under surveillance	<input type="checkbox"/> Person (see note 1) _____
	<input type="checkbox"/> Unknown person
	<input type="checkbox"/> Object _____
	<input type="checkbox"/> Premises _____

Nature of warrant	<input type="checkbox"/> Tracking device warrant (s. 13)
	<input type="checkbox"/> Tracking device (maintenance/retrieval) warrant (s. 14) to — <input type="checkbox"/> maintain a tracking device <input type="checkbox"/> retrieve a tracking device <input type="checkbox"/> maintain and retrieve a tracking device
	<input type="checkbox"/> New warrant <input type="checkbox"/> Extension of current warrant

Period of warrant	Period for which warrant is required _____ days
	Reason this period is required _____ _____

Grounds	Tracking device warrant (s. 13)
	Offence
	Act or Regulations
	Section or regulation no.
	The offence — <input type="checkbox"/> has been committed <input type="checkbox"/> may have been committed <input type="checkbox"/> is being committed <input type="checkbox"/> is about to be committed <input type="checkbox"/> is likely to be committed
	Date offence committed or expected to be committed

	<p>The use of a surveillance device would be likely to —</p> <ul style="list-style-type: none"> <input type="checkbox"/> assist an investigation into the offence <input type="checkbox"/> enable evidence to be obtained of — <ul style="list-style-type: none"> <input type="checkbox"/> the commission of the offence <input type="checkbox"/> the identity of the offender <input type="checkbox"/> the location of the offender
	Tracking device (maintenance/retrieval) warrant (s. 14)
	Vehicle _____
	Location when device installed _____
	Current location _____
	Person who installed device _____
	<ul style="list-style-type: none"> <input type="checkbox"/> Member of police force <input type="checkbox"/> Anti-Corruption Commission officer <input type="checkbox"/> Member of staff of National Crime Authority <input type="checkbox"/> Member of prescribed class of persons
	Specify class _____

Entry to premises	<p>Entry, by force if necessary, is required to —</p> <ul style="list-style-type: none"> <input type="checkbox"/> (specified premises) _____ <input type="checkbox"/> 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 <input type="checkbox"/> any premises where the vehicle on or in which the device is attached or installed may for the time being be <input type="checkbox"/> any premises where the surveillance device to be retrieved may for the time being be
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Use of electricity supply	<ul style="list-style-type: none"> <input type="checkbox"/> Authority is required to connect the surveillance device to an electricity supply system and use electricity from that system to operate the device
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Removal of vehicle	<ul style="list-style-type: none"> <input type="checkbox"/> Authority is required to temporarily remove a vehicle from a premises for the purpose of — <ul style="list-style-type: none"> <input type="checkbox"/> attaching <input type="checkbox"/> installing <input type="checkbox"/> maintaining <input type="checkbox"/> retrieving
	a tracking device
	Vehicle _____
	Premises _____

Signature of applicant	Date
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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)

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.]