

Application number: 1/ 4/ 22 – SAG _____ / 20 _____

*Breyten/ Ermelo _____ CID# CAS number: _____

*Ermelo/ _____; _____ # Inquiry number: _____

In the Magistrate's Court for the district of Gert Sibande held at *Breyten/ Ermelo

Proceedings held in chambers on the _____ day of _____ 20 _____ before

*Mr S.A. Gräbe/ Mrs H.C. Hugo/ Mr/ Mrs/ Ms _____

1. Appearances and non-appearances

➤ The Petitioner namely *Mr/ Mrs/ Ms _____
_____ *is present/ is not present in person;

➤ *Mrs R Pretorius/ Mrs G Terreblanche/ Mr/ Mrs/ Ms _____
_____ *is present/ is not present in person;

2. Nature of proceedings: Application for a search warrant [Section 29(1)(a) of the Cybercrimes Act, 2020 (as amended) (the CcA)]

3. Submission of documents

The *petitioner/ clerk of the court hands in –

☐ as exhibit “A”: an application for a search warrant dated _____ / _____ / 20 _____; and

☐ as exhibit “B”: an affidavit by the petitioner/ _____
_____ properly administered under oath.

4. Findings

Upon consideration of the application and the affidavit –

☐ I conclude that there are no grounds upon which I may authorize the issue of a search warrant; or

☐ it appears to me that there are reasonable grounds for believing that *an article/ articles* namely
*data/ a computer program/ a computer data storage medium/ a computer system, namely

_____ or any combination thereof –

☐ *is/ are, *concerned with/ connected with; or

☐ *is/ are on reasonable grounds believed to be *concerned with/ connected with; or

☐ may afford evidence of –; or

☐ is intended to be used or is, on reasonable grounds believed to be intended to be used in –
the *commission/ suspected commission of –

☐ an offence in terms of Part I and Part II of Chapter 2 of the Cybercrimes Act, 2020 namely:

☐ contravening section _____ of the Cybercrimes Act, 2020 (_____
_____); *and/ or

☐ contravening section _____ of the Cybercrimes Act, 2020 (_____
_____); *and/ or

☐ contravening section _____ of the Cybercrimes Act, 2020 (_____
_____); *or

Abbreviations: CID = Crime Investigation Department; CIG = Crime Intelligence Gathering; FCS = Family Violence, Child Protection and Sexual Offences Unit; DPCI = Directorate for Priority Crime Investigation; PCSI = Priority Crime Specialised Investigation; DFI = Digital Forensic Investigation; STES = Stock Theft and Endangered Species Unit

*Delete if not applicable

☐ Mark the appropriate block(s) with a ✓

☐ any other offence in terms of the law of the Republic namely:

☐ Contravening section _____ of the _____
_____; **and/ or*

☐ _____

☐ _____

_____; *or*

☐ an offence in a foreign State that is substantially similar to an offence contemplated in Part I or Part II of Chapter 2 of the Cybercrimes Act, 2020 or another offence recognized in the Republic namely _____

_____; and

☐ that the said **article is/ articles are* within the area of jurisdiction of Ermelo Court –; or

☐ that the said –

☐ *article is being used/ is involved/ has been used/ was involved* in the commission of an offence within the area of jurisdiction of Ermelo Court –

☐ *articles are being used/ are involved/ have been used/ were involved* in the commission of an offence within the area of jurisdiction of Ermelo Court –

namely at or upon premises situated at _____

_____; or

☐ that the said –

☐ *article is being used/ is involved/ has been used/ was involved* in the commission of an offence within the Republic, and it is unsure within which area of jurisdiction the said *article is being used/ is involved/ has been used/ was involved* in the commission of an offence; or

☐ *articles are being used/ are involved/ have been used/ were involved* in the commission of an offence within the Republic, and it is unsure within which area of jurisdiction the said *articles are being used/ are involved/ have been used/ were involved* in the commission of an offence

5. Judgment and orders:

➤ The request for the issue of a search warrant is hereby **denied/ granted*.

☐ The name of the police official authorised to execute the search warrant and those required to assist **him/ her* are specified in the search warrant.

☐ This search warrant must be executed on or before the _____ day of _____ 20 _____ at 16h00, or, if not executed, returned to this office for cancellation the day thereafter.