

*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 camera* on the _____ day of _____ 20 _____ before

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

1. Appearances:

- The Petitioner namely * Mr/ Ms/ Mrs _____
*is present in person/ is not present in person;
- *Mrs R Pretorius/ Mrs G. Terreblanch/ *Mr/ Ms/ Mrs _____
*acts/ appears as clerk of the court;

2. Nature of proceedings: Application for a search warrant (J51) –

- ☐ in terms of section 21(1) of the Criminal Procedure Act, 1977 (as amended) (CPA); or
- ☐ in terms of section 21(1) read with section 21(1A) of the Criminal Procedure Act, 1977 (as amended) (CPA)].

3. Submission of papers:

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:

- ☐ Where the application is brought in terms of section 21(1)(a) read with section 21(1A) the CPA:
Upon consideration of the affidavit, it appears to me that there are reasonable grounds for
believing that *an article/ articles/ a substance namely _____

- ☐ *is/ are concerned in or *is/ are on reasonable grounds believed to be concerned in the
commission or suspected commission of –
- ☐ may afford evidence of the commission or suspected commission of –
- ☐ *is/ are intended to be used or *is/ are on reasonable grounds believed to be intended to be
used in the commission of –
one or more of the following offences under the Protection of Constitutional Democracy
against Terrorist and Related Activities Act, 2004 namely –
 - ☐ the offence of terrorism referred to in section 2 of the said Act;
 - ☐ an offence associated or connected with terrorist activities referred to in section 3 of the
said Act;
 - ☐ a Convention offence as defined in section 1 of the said Act; or
 - ☐ an offence referred to in section 13 or 14 of the said Act –

and that I have jurisdiction entertain this application irrespective of whether or not the place of
execution of the search warrant or the place where the alleged crime has or crimes have been
committed falls within the territorial jurisdiction of this court.

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 ✓

- ☐ Where the application is brought in terms of section 21(1)(a) of the Criminal Procedure Act, 1977 (as amended) (CPA):

Upon consideration of the affidavit, it appears to me that there are reasonable grounds for believing that **an article/ articles/ a substance* namely _____

- _____
- ☐ **is/ are* concerned in or **is/ are* on reasonable grounds believed to be concerned in the commission or suspected commission of –
- ☐ may afford evidence of the commission or suspected commission of –
- ☐ **is/ are* intended to be used or **is/ are* on reasonable grounds believed to be intended to be used in the commission of –

**an offence/ offences* other than those mentioned in section 21(1A) of the CPA namely _____

_____ and that the said **article is/ articles are/ substance is* –

- ☐ in possession of **or** under the control of **or** upon the person of _____

_____ **and/ or*

- ☐ upon or at a premises situated within the area of jurisdiction of Ermelo Court namely _____

_____ ; or

- ☐ Upon consideration of the affidavit, I conclude that there are no reasonable grounds upon which I may authorize the issue of a search warrant because _____

5. Judgment:

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

☐ _____

_____ **is/ are* hereby assigned to execute the search warrant.

- ☐ The execution of the search warrant by night is also authorised.

- ☐ 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.