

Unvalidated References:
Search Act 1977

This reprint of this Statutory Instrument incorporates all amendments, if any, made before 25 November 2006 and in force at 1 July 2001.

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Legislative Counsel
Dated 25 November 2006

INDEPENDENT STATE OF PAPUA NEW GUINEA.

Chapter 341.

Search Regulation 1977

ARRANGEMENT OF SECTIONS.

1. Information to issue warrant.
2. Warrant.
3. Register of property.

SCHEDULE 1

Search Regulation 1977

MADE under the *Search Act 1977*.

Dated 200 .

1. INFORMATION TO ISSUE WARRANT.

Information sufficient to issue a warrant shall be on oath—

- (a) by a person in respect of any building, craft, vehicle or place—in Form 1; and
- (b) by a commissioned officer of the Police Force in respect of any building or buildings in a village, or in any part of a village or village garden—in Form 2.

2. WARRANT.

A warrant in respect of—

- (a) any building, craft, vehicle or place shall be in Form 3; and
- (b) any building or buildings in a village or in any part of a village or village garden shall be in Form 4.

3. REGISTER OF PROPERTY.

A record of things seized by, or handed to, a policeman shall be kept in a register of property in Form 5.

SCHEDULE 1

PAPUA NEW GUINEA.

Search Act 1977.

Form 1 – INFORMATION.

Act, Sec. 6(1). *Form 1.Reg., Sec. 1(a).

To the ... Court.

I, *(name)* *(occupation)* of *(address)* declare that *(state belief in respect to commission, or likely commission, of offence)* being the grounds for which a search warrant may be issued in respect of *(state particulars of building, craft, vehicle, or place)*.

Declared at

Dated 20 .

Magistrate.

District Court

*This form not for use in proceedings in Local Court.

PAPUA NEW GUINEA.

Search Act 1977.

Form 2 – INFORMATION.

Act, Sec. 6(2). Form 2.Reg, Sec. 1(b).

To the ... Court.

I, *(name)* being a commissioned officer of the Police Force declare that *(state belief in respect to commission, or likely commission, of offence)* being the grounds for which a search warrant may be issued in respect of *(state particulars of building or buildings in a village, or in any part of a village or village garden)*.

Declared at

Dated ... 20 .

Before me:

Magistrate.

District Court.

*This form not for use in proceedings in Local Court.

PAPUA NEW GUINEA.

Search Act 1977.

Form 3 – SEARCH WARRANT.

Act, Sec. 6. Form 3.Reg., Sec. 2(a).

- To (a) *(name of person)* of *(address)*;
 (b) the officer in charge of the Police at
 (c) all officers and members of the Police Force.

WHEREAS an information on oath of *(name)* of *(address)* dated ... 20 , stating that there are reasonable grounds to believe that there is at *(specify building, craft, vehicle or place)*—

- * any thing with respect to which any offence has been or is believed on reasonable grounds to have been committed; or
- * any thing as to which there are reasonable grounds for believing it is likely to afford evidence of the commission of any offence; or
- * any thing as to which there are reasonable grounds for believing is intended to be used to commit any offence,

namely *(state nature of thing)*.

YOU ARE HEREBY ORDERED to search the *(state building, craft, vehicle or place)* and seize any thing you may find that relates to *(state the offence or matter of the information)* and convey it to a safe place.

Dated at ... , ...20 .

Magistrate.

District Court.

**Endorsement.

This search may be carried out at any time.

Magistrate.

District Court.

*Place "X" in appropriate square.

**Strike out if inapplicable.

PAPUA NEW GUINEA.

Search Act 1977.

Form 4 – SEARCH WARRANT.

Act, Sec. 6. Form 4.Reg., Sec. 2(6).

- To (a) *(name of person)* of *(address)*;
 (b) the officer in charge of the Police at
 (c) all officers and members of the Police Force.

WHEREAS an information on oath of *(name)* of *(address)* dated ...20 , stating that there are reasonable grounds to believe that there is at *(specify building or buildings in a village or in any part of a village or village garden)*—

- * any thing with respect to which any offence has been or is believed on reasonable grounds to have been committed; or
- * any thing as to which there are reasonable grounds for believing it is likely to afford evidence of the commission of any offence; or
- * any thing as to which there are reasonable grounds for believing is intended to be used to commit any offence,

namely *(state nature of thing)*.

YOU ARE HEREBY ORDERED to search the *(building, buildings, village, part of the village or village garden)* and seize any thing you may find that relates to *(state the offence or matter of the information)* and convey it to a safe place.

Dated at ... , ... 20 .

Magistrate.

District Court.

NOTE: This warrant may not be executed in respect of any building or buildings in a village, a village, or any part of a village or village garden unless the co-operation has been sought of those persons who, by custom, are regarded as the leaders of the village.

**ENDORSEMENT.

This search may be carried out at any time.

Magistrate.

District Court.

*Place "X" in appropriate square.

**Strike out if inapplicable.

PAPUA NEW GUINEA.

Search Act 1977.

Form 5 – REGISTER OF PROPERTY.

Act, Sec. 12. Form 5.Reg., Sec. 3

Description of item:

Identification mark (if any):

Date and time of seizure or receipt:

Name and address of person handing item to policeman:

Place where item seized:

Person from whom item seized:

Any further relevant details:

Search Regulation 1977