

Procedure of application for search warrants from magistrates

	Designated sessions within office hours	Non-designated sessions within office hours	Outside office hours
Time	9:00 - 9:30 am. 2:00 - 2:30 pm. 11:30 am (during court morning break) and 4:30 pm (after court adjournment) where necessary.	If urgent applications are necessary outside the designated sessions, the Judiciary would arrange any magistrate who is available at that moment to deal with the application.	-
Procedure	The police officer has to complete an “Information for Search Warrant” form and a “Search Warrant” form in duplicate. The officer should lay the information on oath before the Magistrate, and answer questions from the Magistrate. After the warrant is signed, it would be taken to the court office where it is stamped and the relevant information are recorded in the court register.	The police officer has to enquire and wait for a magistrate who is available to issue the warrant. Other procedures are the same as those during the designated sessions.	The Chief Magistrate provides the police with a list of Magistrates with their residential telephone numbers (grouped into Hong Kong Island, Kowloon and New Territories regions) every six months. The list will be distributed to each Regional Command and Control Centres (RCCC). In an urgent case, the relevant police officer would inform the superintendent of RCCC. The superintendent would provide the police officer with the telephone numbers of the magistrates who are living in the same region. After the agreement of the magistrate to deal with the application, the officer would proceed to the magistrate's residence with the completed "Information for Search Warrant" and "Search Warrant" for application of the warrant.

	Designated sessions within office hours	Non-designated sessions within office hours	Outside office hours
Magistrate who would deal with the application	A duty magistrate.	Any magistrate who is available.	A magistrate on the list.
Place of issuance	Court	Court	Normally the residence of the magistrate.
Processing time at a magistrates' court as estimated by the Judiciary	30 minutes	-	-
Processing time for the entire application as estimated by the Police*	1 hour 30 minutes to 3 hours		2 hours to 4 hours

Note:

* “Processing time for the entire application” refers to the entire duration of obtaining the warrant, including time spent on traffic to and from the court or the residence of the magistrates, waiting time for a magistrate to become available to process the application, etc.

Security Bureau
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