

Work Health and Safety (Penalty Amounts) Notice 2024 (No 1)

Notifiable instrument NI2024–387

made under the

***Work Health and Safety Act 2011*, Schedule 4, s 4.6 (Notification of adjusted maximum penalty amounts)**

1 Name of instrument

This instrument is the *Work Health and Safety (Penalty Amounts) Notice 2024 (No 1)*.

2 Commencement

This instrument commences on the commencement of the *Workplace Legislation Amendment Act 2024* s 26.

3 Indexation of penalty amounts – categories 1 to 3

- (1) The monetary penalty amount payable by an individual as a person conducting a business or undertaking or as an officer of a person conducting a business or undertaking for a monetary penalty category stated in table 1, column 2 of the schedule is the amount stated in column 3 of table 1 for that matter.
- (2) The monetary penalty amount payable by an individual for a monetary penalty category stated in table 1, column 2 of the schedule is the amount stated in column 4 of table 1 for that matter.
- (3) The monetary penalty amount payable by a body corporate for a monetary penalty category stated in table 1, column 2 of the schedule is the amount stated in column 5 of table 1 for that matter.

4 Indexation of penalty amounts – tiers A to I

- (1) The monetary penalty amount payable by an individual for a monetary penalty tier stated in table 2, column 2 of the schedule is the amount stated in column 3 of table 2 for that matter.

- (2) The monetary penalty amount payable by a body corporate for a monetary penalty tier stated in table 2, column 2 of the schedule is the amount stated in column 4 of table 2 for that matter.

5 Indexation of penalty amounts – WHS civil penalty tiers 1 to 4

- (1) The monetary penalty amount payable by an individual for a monetary penalty WHS civil penalty tier stated in table 3, column 2 of the schedule is the amount stated in column 3 of table 3 for that matter.
- (2) The monetary penalty amount payable by a body corporate for a monetary penalty WHS civil penalty tier stated in table 3, column 2 of the schedule is the amount stated in column 4 of table 3 for that matter.

Jacqueline Agius
Work Health and Safety Commissioner
9 July 2024

Schedule 1

Table 1 Monetary penalties—categories 1 to 3

column 1	column 2	column 3	column 4	column 5
item	monetary penalty category	monetary penalty—individual conducting business or undertaking etc	monetary penalty—other individual	monetary penalty—body corporate
1	category 1	\$2,312,000	\$1,156,000	\$11,561,000
2	category 2	\$464,000	\$232,000	\$2,318,000
3	category 3	\$155,000	\$78,000	\$776,000

Table 2 Monetary penalties—tiers A to I

column 1	column 2	column 3	column 4
item	monetary penalty tier	monetary penalty—individual	monetary penalty—body corporate
1	tier A	\$154,000.00	\$771,000.00
2	tier B	\$78,000.00	\$388,000.00
3	tier C	\$31,000.00	\$155,000.00
4	tier D	\$16,000.00	\$78,000.00
5	tier E	\$9,300.00	\$47,000.00
6	tier F	\$7,800.00	\$39,000.00
7	tier G	\$5,500.00	\$28,000.00
8	tier H	\$3,100.00	\$16,000.00
9	tier I	\$1,900.00	\$9,400.00

Table 3 WHS civil penalty provision—tiers 1 to 4

column 1	column 2	column 3	column 4
item	monetary penalty tier	monetary penalty—individual	monetary penalty—body corporate
1	tier 1	\$31,000.00	\$155,000.00
2	tier 2	\$16,000.00	\$78,000.00
3	tier 3	\$7,800.00	\$39,000.00
4	tier 4	\$3,100.00	\$16,000.00