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| 2023-24 fines and penalties for Public Health and Wellbeing Act 2008,  Public Health and Wellbeing Regulations 2019, and  Public Health and Wellbeing (Prescribed Accommodation) Regulations 2020 |
| Document subtitle |
| OFFICIAL |

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This document is an annually updated publication of the indexation of fees and charges for the reference of the general public.

# Public Health and Wellbeing Act 2008

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| **Public Health and Wellbeing Act 2008** | **Associated with** | **2022-2023 penalty (current year)** | **2023-2024 penalty (current year)** |
| 40 (3) Provision of prescribed information to prescribed Consultative Council. A health service provider or pathology service to which this section applies must comply with subsection (2). | Court Ordered Penalty | $1,849.20 | $1,923.10 |
| 42 (2) Confidentiality obligations applying in respect of a prescribed Consultative Council - A person to whom this section applies must not – (a) directly or indirectly make a record of, or divulge or communicate to any person any information gained by or conveyed to the person by reason of the person's office,  employment or engagement; or (b) make use of the information for any purpose - other than in the performance of the functions of the prescribed Consultative Council or to provide information in accordance with section 37, 41, 46A or 48A. | Court Ordered Penalty | $1,849.20 | $1,923.10 |
| 48 Report of birth - A report of a [birth](http://classic.austlii.edu.au/au/legis/vic/consol_act/phawa2008222/s3.html#birth) in the form approved by [CCOPMM](http://classic.austlii.edu.au/au/legis/vic/consol_act/phawa2008222/s3.html#ccopmm) must be submitted to [CCOPMM](http://classic.austlii.edu.au/au/legis/vic/consol_act/phawa2008222/s3.html#ccopmm) within the [prescribed](http://classic.austlii.edu.au/au/legis/vic/consol_act/phawa2008222/s3.html#prescribed) period by—          (a)     if the [birth](http://classic.austlii.edu.au/au/legis/vic/consol_act/phawa2008222/s3.html#birth) occurs in a [health service](http://classic.austlii.edu.au/au/legis/vic/consol_act/phawa2008222/s3.html#health_service), the [proprietor](http://classic.austlii.edu.au/au/legis/vic/consol_act/phawa2008222/s3.html#proprietor) of the [health](http://classic.austlii.edu.au/au/legis/vic/consol_act/phawa2008222/s3.html#health_service) [service](http://classic.austlii.edu.au/au/legis/vic/consol_act/phawa2008222/s3.html#health_service); or          (b)     if the [birth](http://classic.austlii.edu.au/au/legis/vic/consol_act/phawa2008222/s3.html#birth) does not occur in a [health service](http://classic.austlii.edu.au/au/legis/vic/consol_act/phawa2008222/s3.html#health_service)—                (i)     the [midwife](http://classic.austlii.edu.au/au/legis/vic/consol_act/phawa2008222/s3.html#midwife) who is in attendance upon the mother at the time of the [birth](http://classic.austlii.edu.au/au/legis/vic/consol_act/phawa2008222/s3.html#birth); or                (ii)     if subparagraph (i) does not apply, the [registered medical](http://classic.austlii.edu.au/au/legis/vic/consol_act/phawa2008222/s3.html#registered_medical_practitioner) [practitioner](http://classic.austlii.edu.au/au/legis/vic/consol_act/phawa2008222/s3.html#registered_medical_practitioner) who is in attendance upon the mother at the time of the [birth](http://classic.austlii.edu.au/au/legis/vic/consol_act/phawa2008222/s3.html#birth); or ©If paragraphs (a) and (b) do not apply-  (i) if the mother or the child is admitted to a health service because of the birth of the child, the proprietor of the health service; or (ii) in any other case, the registered medical practitioner who undertakes the care and treatment of the mother or the child because of the birth of the child. | Court Ordered Penalty | $1,849.20 | $1,923.10 |
| 51 (4) Conduct of public inquiry - A person must not give information which he or she knows is false or misleading to the Convenor. | Court Ordered Penalty | $11,095.20 | $11,538.60 |
| 51 (5) Conduct of public inquiry - A person must not intentionally hinder or obstruct the conduct of a public inquiry - Natural person | Court Ordered Penalty | $11,095.20 | $11,538.60 |
| 51 (5) Conduct of public inquiry - A person must not intentionally hinder or obstruct the conduct of a public inquiry - Body corporate | Court Ordered Penalty | $55,476.00 | $57,693.00 |
| 61 (1) Offence of causing a nuisance - A person must not – (a) cause a nuisance; or (b) knowingly allow or suffer a nuisance to exist on, or emanate from, any land owned or occupied by that person - Natural person | Court Ordered Penalty | $22,190.40 | $23,077.20 |
| 61 (1) Offence of causing a nuisance. A person must not – (a) cause a nuisance; or (b) knowingly allow or suffer a nuisance to exist on, or emanate from, any land owned or occupied by that person - Body corporate | Court Ordered Penalty | $110,952.00 | $115,386.00 |
| 67 Registration of prescribed accommodation - The proprietor of prescribed accommodation must, in accordance with Division 4, register that accommodation with the Council in whose municipal district the prescribed accommodation is located - Natural person | Court Ordered Penalty | $11,095.20 | $11,538.60 |
| 67 Registration of prescribed accommodation - The proprietor of prescribed accommodation must, in accordance with Division 4, register that accommodation with the Council in whose municipal district the prescribed accommodation is located - Body corporate | Court Ordered Penalty | $55,476.00 | $57,693.00 |
| 67 Registration of prescribed accommodation - The proprietor of prescribed accommodation must, in accordance with Division 4, register that accommodation with the Council in whose municipal district the prescribed accommodation is located - Natural person (infringement) | Infringement penalty | $739.68 | $769.24 |
| 67 Registration of prescribed accommodation - The proprietor of prescribed accommodation must, in accordance with Division 4, register that accommodation with the Council in whose municipal district the prescribed accommodation is located - Body corporate (infringement) | Infringement penalty | $1,849.20 | $1923.10 |
| 69 (1) Registration of premises - Unless subsection (2) or (3) applies, a person conducting a business referred to in section 68 must, in accordance with Division 4, register any premises upon which that person conducts that business with the Council in whose municipal district the premises are located - Natural person | Court Ordered Penalty | $11,095.20 | $11,538.60 |
| 69 (1) Registration of premises - Unless subsection (2) or (3) applies, a person conducting a business referred to in section 68 must, in accordance with Division 4, register any premises upon which that person conducts that business with the Council in whose municipal district the premises are located - Body corporate | Court Ordered Penalty | $55,476.00 | $57,693.00 |
| 69 (1) Registration of premises - Unless subsection (2) applies, a person conducting a business referred to in section 68 must, in accordance with Division 4, register any premises upon which that person conducts that business with the Council in whose municipal district the premises are located - Natural person (infringement) | Infringement penalty | $739.68 | $769.24 |
| 69 (1) Registration of premises - Unless subsection (2) applies, a person conducting a business referred to in section 68 must, in accordance with Division 4, register any premises upon which that person conducts that business with the Council in whose municipal district the premises are located - Body corporate (infringement) | Infringement penalty | $1,849.20 | $1923.10 |
| 75 (2) Registration subject to conditions - A registration holder must comply with the conditions to which the registration is subject - Natural person | Court Ordered Penalty | $11,095.20 | $11,538.60 |
| 75 (2) Registration subject to conditions - A registration holder must comply with the conditions to which the registration is subject - Body corporate | Court Ordered Penalty | $55,476.00 | $57,693.00 |
| 80 Cooling tower system must be registered - The owner of any land on which there is a cooling tower system must ensure that the cooling tower system is registered with the Secretary at all times that the cooling tower system is in operation - Natural person | Court Ordered Penalty | $22,190.40 | $23,077.20 |
| 80 Cooling tower system must be registered - The owner of any land on which there is a cooling tower system must ensure that the cooling tower system is registered with the Secretary at all times that the cooling tower system is in operation - Body corporate | Court Ordered Penalty | $110,952.00 | $115,386.00 |
| 80 Cooling tower system must be registered - The owner of any land on which there is a cooling tower system must ensure that the cooling tower system is registered with the Secretary at all times that the cooling tower system is in operation - Natural person (infringement) | Infringement penalty | $1,848.98 | $1923.10 |
| 80 Cooling tower system must be registered - The owner of any land on which there is a cooling tower system must ensure that the cooling tower system is registered with the Secretary at all times that the cooling tower system is in operation - Body corporate (infringement) | Infringement penalty | $4,438.08 | $4615.44 |
| 87 (2) Secretary to be notified of certain changes - Within 30 days after the date of the change in the ownership or in the address or other contact details, the owner of the land must notify the Secretary in writing of the change - Natural person | Court Ordered Penalty | $1,849.20 | $1,923.10 |
| 87 (2) Secretary to be notified of certain changes - Within 30 days after the date of the change in the ownership or in the address or other contact details, the owner of the land must notify the Secretary in writing of the change - Body corporate | Court Ordered Penalty | $9,246.00 | $9,615.50 |
| 87 (2) Secretary to be notified of certain changes - Within 30 days after the date of the change in the ownership or in the address or other contact details, the owner of the land must notify the Secretary in writing of the change - Natural person (infringement) | Infringement penalty | $369.84 | $384.62 |
| 87 (2) Secretary to be notified of certain changes - Within 30 days after the date of the change in the ownership or in the address or other contact details, the owner of the land must notify the Secretary in writing of the change - Body corporate (infringement) | Infringement penalty | $1,849.20 | $1,923.10 |
| 88 (1) Secretary to be notified of other changes - A person who holds a certificate of registration in respect of a cooling tower system must notify the Secretary within 30 days after - (a) the addition or removal of a cooling tower to,  or from, the cooling tower system; (b) the removal, or decommissioning, of the  cooling tower system; (c) the relocation of the cooling tower system on  the lot of land on which it stands - Natural person | Court Ordered Penalty | $1,849.20 | $1,923.10 |
| 88 (1) Secretary to be notified of other changes - A person who holds a certificate of registration in respect of a cooling tower system must notify the Secretary within 30 days after - (a) the addition or removal of a cooling tower to,  or from, the cooling tower system; (b) the removal, or decommissioning, of the  cooling tower system; (c) the relocation of the cooling tower system on  the lot of land on which it stands - Body corporate | Court Ordered Penalty | $9,246.00 | $9,615.50 |
| 91 (1) Owner must ensure risk management plan prepared - The owner of any land on which there is a cooling tower system must take all reasonable steps to ensure that a risk management plan exists in respect of the cooling tower system at all times that the cooling tower system is in operation - Natural person | Court Ordered Penalty | $11,095.20 | $11,538.60 |
| 91 (1) Owner must ensure risk management plan prepared - The owner of any land on which there is a cooling tower system must take all reasonable steps to ensure that a risk management plan exists in respect of the cooling tower system at all times that the cooling tower system is in operation - Body corporate | Court Ordered Penalty | $55,476.00 | $57,693.00 |
| 92 (1) Owner must ensure risk management plan reviewed - The owner of any land on which there is a cooling tower system must take all reasonable steps to ensure that the risk management plan is reviewed, and, if necessary, updated, at least once in each 12 month period - Natural person | Court Ordered Penalty | $11,095.20 | $11,538.60 |
| 92 (1) Owner must ensure risk management plan reviewed - The owner of any land on which there is a cooling tower system must take all reasonable steps to ensure that the risk management plan is reviewed, and, if necessary, updated, at least once in each 12 month period - Body corporate | Court Ordered Penalty | $55,476.00 | $57,693.00 |
| 92 (3) The owner of the land must comply with subsection (2) as soon as is practicable after the occurrence of the relevant triggering event - Natural person | Court Ordered Penalty | $11,095.20 | $11,538.60 |
| 92 (3) The owner of the land must comply with subsection (2) as soon as is practicable after the occurrence of the relevant triggering event - Body corporate | Court Ordered Penalty | $55,476.00 | $57,693.00 |
| 93 (1) Owner must ensure risk management plan audit conducted - The owner of any land on which there is a cooling tower system must take all reasonable steps to ensure that an audit is conducted annually in relation to the risk management plan prepared in respect of a cooling tower system - Natural person | Court Ordered Penalty | $11,095.20 | $11,538.60 |
| 93 (1) Owner must ensure risk management plan audit conducted - The owner of any land on which there is a cooling tower system must take all reasonable steps to ensure that an audit is conducted annually in relation to the risk management plan prepared in respect of a cooling tower system - Body corporate | Court Ordered Penalty | $55,476.00 | $57,693.00 |
| 93 (8) The approved auditor must give the Secretary a copy of the information in the audit certificate within 7 days after completing the certificate. | Court Ordered Penalty | $1,849.20 | $1,923.10 |
| 94 (4) Certification of approved auditors. An approved auditor must comply with any condition imposed on the certification by the Secretary under subsection (2)(a). | Court Ordered Penalty | $11,095.20 | $11,538.60 |
| 95 Only approved auditors may conduct audits | Court Ordered Penalty | $11,095.20 | $11,538.60 |
| 95 Only approved auditors may conduct audits (infringement) | Infringement penalty | $739.68 | $769.24 |
| 96 Offence to impersonate approved auditor | Court Ordered Penalty | $11,095.20 | $11,538.60 |
| 97 (1) Conflict of interest to be avoided - A person must not conduct a risk management plan audit of the risk management plan of a cooling tower system if the person is an interested person or is an employee or officer of an interested person. | Court Ordered Penalty | $11,095.20 | $11,538.60 |
| 97 (2) Conflict of interest to be avoided - A person must not conduct a risk management plan audit of a risk management plan as an employee of another person if any other employee of that other person has written, or assisted in preparing, that risk management plan. | Court Ordered Penalty | $11,095.20 | $11,538.60 |
| 99 Use of certain pesticides prohibited. Subject to section 100, a natural person must not, in the course of the business of a pest control operator, use any pesticide or class of pesticides unless the person holds a pest control licence as an authorised user of that pesticide or class of pesticides. | Court Ordered Penalty | $22,190.40 | $23,077.20 |
| 99 Use of certain pesticides prohibited (infringement) | Infringement penalty | $739.68 | $769.24 |
| 105 Powers of Secretary (6) A holder of the licence must comply with a requirement of the Secretary under subsection (5)(a). | Court Ordered Penalty | $1,849.20 | $1,923.10 |
| 108 Records - A pest control operator must keep records containing the prescribed details for the prescribed period - Natural person | Court Ordered Penalty | $1,849.20 | $1,923.10 |
| 108 Records - A pest control operator must keep records containing the prescribed details for the prescribed period - Body corporate | Court Ordered Penalty | $9,246.00 | $9,615.50 |
| 108 Records - A pest control operator must keep records containing the prescribed details for the prescribed period - Natural person (infringement) | Infringement penalty | $369.84 | $384.62 |
| 108 Records - A pest control operator must keep records containing the prescribed details for the prescribed period - Body corporate (infringement) | Infringement penalty | $739.68 | $769.24 |
| 109 (1) Offences by holder of pest control licence or pest control operator - The holder of a pest control licence must comply with the conditions of the pest control licence. | Court Ordered Penalty | $22,190.40 | $23,077.20 |
| 109 (2) A pest control operator must take all reasonable steps to ensure that persons employed in the course of the business of pest control operator by the pest control operator comply with the provisions of this Division and the regulations made for the purposes of this Division - Natural person | Court Ordered Penalty | $11,095.20 | $11,538.60 |
| 109 (2) A pest control operator must take all reasonable steps to ensure that persons employed in the course of the business of pest control operator by the pest control operator comply with the provisions of this Division and the regulations made for the purposes of this Division - Body corporate | Court Ordered Penalty | $55,476.00 | $57,693.00 |
| 110 Offence by person who is not the holder of a pest control licence. A natural person who is not the holder of a pest control licence must not, whether explicitly, implicitly, orally or in writing (a) claim to be the holder of a pest control licence; or (b) hold themselves out as being qualified to use any pesticide in circumstances which require a person using the pesticide to be the holder of a pest control licence; or (c) represent that they have used any pesticide in circumstances which would require a person using the pesticide to be the holder of a pest control licence. | Court Ordered Penalty | $11,095.20 | $11,538.60 |
| 116 Person must comply with an examination and testing order | Court Ordered Penalty | $11,095.20 | $11,538.60 |
| 120 Person must comply with a public health order | Court Ordered Penalty | $22,190.40 | $23,077.20 |
| 127 (2) Notification by registered medical practitioners of notifiable conditions. The registered medical practitioner must notify the Secretary of the notification details in accordance with – (a) if the notifiable condition was prescribed to be a notifiable condition by the regulations,  the regulations within the prescribed period; or (b) if the notifiable condition was declared to be a notifiable condition by an Order in Council, the Order in Council within the specified period. | Court Ordered Penalty | $11,095.20 | $11,538.60 |
| 128 (2) Notification by a pathology service of a notifiable condition. The person in charge of the pathology service situated in Victoria must notify the Secretary of the notification details in accordance with – (a) if the notifiable condition was prescribed to be a notifiable condition by the regulations, the regulations; or (b) if the notifiable condition was declared to be a notifiable condition by an Order in Council, the Order in Council. | Court Ordered Penalty | $11,095.20 | $11,538.60 |
| 130 (2) Notification of a notifiable micro-organism in food - The person in charge of the laboratory service must notify the Secretary of the notification details in accordance with – (a) if the notifiable micro-organism was  prescribed to be a notifiable micro-organism by the regulations, the regulations; or (b) if the notifiable micro-organism was declared to be a notifiable micro-organism in an Order in Council, the Order in Council. | Court Ordered Penalty | $11,095.20 | $11,538.60 |
| 130 (5) Notification of a notifiable micro-organism in food - The proprietor of the food premises or food vending machine must notify the Secretary of the notification details in accordance with – (a) if the notifiable micro-organism was prescribed to be a notifiable micro-organism by the regulations, the regulations; or (b) if the notifiable micro-organism was declared to be a notifiable micro-organism in an Order in Council, the Order in Council. | Court Ordered Penalty | $11,095.20 | $11,538.60 |
| 133 (5) Closure of court or tribunal. A person must not contravene an order made and posted under this section - Natural person | Court Ordered Penalty | $22,190.40 | $23,077.20 |
| 133 (5) Closure of court or tribunal. A person must not contravene an order made and posted under this section - Body corporate | Court Ordered Penalty | $110,952.00 | $115,386.00 |
| 136 (5) Chief Health Officer may disclose certain information. A person who contravenes subsection (4)(c) is guilty of an offence. | Court Ordered Penalty | $11,095.20 | $11,538.60 |
| 140 (1) No identification to be given. A person mentioned in section 134(1)(a) who receives notice under this Division of the results of a test on another person must not disclose, communicate, or make a record of, anything in those results that would identify that other person | Court Ordered Penalty | $11,095.20 | $11,538.60 |
| 155 (1) False statements. A donor must not, in a statement referred to in the Schedule, knowingly make a statement that is false in a material particular | Court Ordered Penalty | $22,190.40 | $23,077.20 |
| 155 (2) False statements. A person must not, in response to an inquiry of the kind referred to in paragraph (b)(iii) in column 2 of Table 2 in the Schedule, knowingly make a statement that is false in a material particular. | Court Ordered Penalty | $22,190.40 | $23,077.20 |
| 156 (4) Autopsies - A person who has possession of a body must comply with an order of the Chief Health Officer under this section. | Court Ordered Penalty | $1,849.20 | $1,923.10 |
| 158 (1) Provision and storage of condoms - A brothel proprietor must provide, in the brothel, a free supply of condoms and water based lubricant that is – (a) readily accessible by sex workers and  clients; and (b) of a sufficient quantity and amount for sex workers and clients. | Court Ordered Penalty | $11,095.20 | $11,538.60 |
| 158 (2) Provision and storage of condoms – A brothel proprietor must – (a) store unused condoms in conditions which will not lead to a deterioration of their quality; and (b) dispose of unused condoms at their expiry date. | Court Ordered Penalty | $11,095.20 | $11,538.60 |
| 158 (3) Provision and storage of condoms - A brothel proprietor must take reasonable steps to ensure that used condoms are kept in sealed containers prior to their removal from the brothel. | Court Ordered Penalty | $11,095.20 | $11,538.60 |
| 159 (1) Use of condoms - A brothel proprietor must take reasonable steps to ensure that a client and a sex worker use condoms in any encounter in a brothel between a client and a sex worker which involves vaginal, oral or anal penetration whether by means of a penis or other part of the body or by a device or object. | Court Ordered Penalty | $11,095.20 | $11,538.60 |
| 159 (2) Use of condoms - A brothel proprietor must not expressly or impliedly discourage the use of condoms in the brothel. | Court Ordered Penalty | $11,095.20 | $11,538.60 |
| 159 (3) Use of condoms - An escort agency proprietor must take reasonable steps to ensure that a client and a sex worker use condoms in any encounter arranged through the escort agency between a client and a sex worker which involves vaginal, oral or anal penetration whether by means of a penis or other part of the body or by a device or object. | Court Ordered Penalty | $11,095.20 | $11,538.60 |
| 159 (4) Use of condoms - An escort agency proprietor must not expressly or impliedly discourage the use of condoms in any encounter arranged through the escort agency. | Court Ordered Penalty | $11,095.20 | $11,538.60 |
| 160 (1) Refusal of service - A brothel proprietor must not require a sex worker to provide a service to a client if the sex worker has refused to provide the service because – (a) the sex worker suspects that the client is infected with an infectious disease; or (b) the client has refused to use a condom - Natural person | Court Ordered Penalty | $22,190.40 | $23,077.20 |
| 160 (1) Refusal of - A brothel proprietor must not require a sex worker to provide a service to a client if the sex worker has refused to provide the service because - (a) the sex worker suspects that the client is infected with an infectious disease; or (b) the client has refused to use a condom - Body corporate | Court Ordered Penalty | $110,952.00 | $115,386.00 |
| 160 (2) - An escort agency proprietor must not require a sex worker to provide a service to a client if the sex worker has refused to provide the service because – (a) the sex worker suspects that the client is infected with an infectious disease; or (b) the client has refused to use a condom - Natural person | Court Ordered Penalty | $22,190.40 | $23,077.20 |
| 160 (2) - An escort agency proprietor must not require a sex worker to provide a service to a client if the sex worker has refused to provide the service because – (a) the sex worker suspects that the client is infected with an infectious disease; or (b) the client has refused to use a condom - Body corporate | Court Ordered Penalty | $110,952.00 | $115,386.00 |
| 161 (1) Evidence of medical examination - A brothel proprietor must take reasonable steps to ensure that written or oral evidence of the sex worker's attendance at a medical examination or the results of that examination is not displayed or used to induce a client to believe that a sex worker is free from infection with an infectious disease. | Court Ordered Penalty | $11,095.20 | $11,538.60 |
| 161 (2) Evidence of medical examination - An escort agency proprietor must take reasonable steps to ensure that written or oral evidence of the sex worker's attendance at a medical examination or the results of that examination is not displayed or used to induce a client to believe that a sex worker is free from infection with an infectious disease. | Court Ordered Penalty | $11,095.20 | $11,538.60 |
| 162 (1) Information to sex workers and clients - A brothel proprietor must provide easily accessible written information about the transmission of sexually transmitted infections in a variety of relevant languages at the brothel for the benefit of sex workers and clients. | Court Ordered Penalty | $1,849.20 | $1,923.10 |
| 162 (2) Information to sex workers and clients - A brothel proprietor must take reasonable steps to ensure that any information about sexually transmitted infections provided at the brothel for the benefit of sex workers or clients is medically accurate. | Court Ordered Penalty | $1,849.20 | $1,923.10 |
| 162 (3) Information to sex workers and clients - If a sex worker has difficulty in communicating in the English language, the brothel proprietor must provide the information in a language with which the sex worker is familiar. | Court Ordered Penalty | $1,849.20 | $1,923.10 |
| 162 (4) Information to sex workers and clients - An escort agency proprietor must, in accordance with the regulations, provide easily accessible written information about the transmission of sexually transmitted infections in a variety of relevant languages for the benefit of sex workers and clients. | Court Ordered Penalty | $1,849.20 | $1,923.10 |
| 162 (5) - Information to sex workers and clients - An escort agency proprietor must take reasonable steps to ensure that any information about sexually transmitted infections provided by the escort agency for the benefit of sex workers or clients is medically accurate. | Court Ordered Penalty | $1,849.20 | $1,923.10 |
| 162 (6) Information to sex workers and clients - If a sex worker has difficulty in communicating in the English language, the escort agency proprietor must provide the information in a language with which the sex worker is familiar. | Court Ordered Penalty | $1,849.20 | $1,923.10 |
| 163 Clean linen and towels – A brothel proprietor must provide (a) clean linen; and (b) clean towels for the use of each client. | Court Ordered Penalty | $1,849.20 | $1,923.10 |
| 164 (1) Showers and baths - A brothel proprietor must provide baths or showers with a continuous and adequate supply of hot and cold water for the use of clients and sex workers. | Court Ordered Penalty | $1,849.20 | $1,923.10 |
| 164 (2) Showers and baths - The brothel proprietor must ensure that baths and showers are cleaned and disinfected after each use. | Court Ordered Penalty | $1,849.20 | $1,923.10 |
| 165 (2) Inspections and interviews - At the request of an authorised officer, a brothel proprietor must allow the authorised officer to interview sex workers on the brothel premises without the brothel proprietor being present. | Court Ordered Penalty | $11,095.20 | $11,538.60 |
| 165BN (1) Failure to comply with pandemic order, direction or other requirement - A person commits an offence if the person refuses or fails to comply with a pandemic order, or with a direction given to the person, or a requirement made of the person, in the exercise of a pandemic management power - Natural person | Court Ordered Penalty | $11,095.20 | $11,538.60 |
| 165BN (1) Failure to comply with pandemic order, direction or other requirement - A person commits an offence if the person refuses or fails to comply with a pandemic order, or with a direction given to the person, or a requirement made of the person, in the exercise of a pandemic management power - Body corporate | Court Ordered Penalty | $55,476.00 | $57,693.00 |
| 165CC Offence to use or disclose contact tracing  Information - A person commits an offence if— (a) the person uses or discloses contact tracing information; and (b) the use or disclosure is not authorised under section 165CD – Natural person | Court Ordered Penalty | $11,095.20 | $11,538.60 |
| 165CC Offence to use or disclose contact tracing  Information - A person commits an offence if— (a) the person uses or discloses contact tracing information; and (b) the use or disclosure is not authorised under section 165CD – Body corporate | Court Ordered Penalty | $55,476.00 | $57,693.00 |
| 176 (2) Power to direct persons to produce documents, operate equipment or answer questions - A person must not refuse or fail to comply with a direction under subsection (1) unless the person has a reasonable excuse - Natural person | Court Ordered Penalty | $11,095.20 | $11,538.60 |
| 176 (2) Power to direct persons to produce documents, operate equipment or answer questions - A person must not refuse or fail to comply with a direction under subsection (1) unless the person has a reasonable excuse - Body corporate | Court Ordered Penalty | $55,476.00 | $57,693.00 |
| 183 Offence to hinder or obstruct authorised officer - A person must not, without reasonable excuse, hinder or obstruct an authorised officer who is exercising a power under this Act or the regulations. | Court Ordered Penalty | $11,095.20 | $11,538.60 |
| 184 Offence to impersonate authorised officer - A person who is not an authorised officer must not, in any way, hold himself or herself out to be an authorised officer. | Court Ordered Penalty | $11,095.20 | $11,538.60 |
| 185D Prohibited behaviour -  A person must not engage in prohibited behaviour within a safe access zone. | Court Ordered Penalty | $22,190.40 | $23,077.20 |
| 185E Offence to publish or distribute recording A person must not without consent of the other person or without reasonable excuse publish or distribute a recording of a person accessing, attempting to access, or leaving premises at which abortions are provided, if the recording contains particulars likely to lead to the identification of— (a) that other person; and (b) that other person as a person accessing premises at which abortions are provided. | Court Ordered Penalty | $22,190.40 | $23,077.20 |
| 188 (2) Chief Health Officer may direct a person to provide information - A person must not refuse or fail to comply with a direction given to the person under subsection (1) - Natural person | Court Ordered Penalty | $11,095.20 | $11,538.60 |
| 188 (2) Chief Health Officer may direct a person to provide information - A person must not refuse or fail to comply with a direction given to the person under subsection (1) - Body corporate | Court Ordered Penalty | $55,476.00 | $57,693.00 |
| 193 (1) Compliance with direction or requirement - A person must not refuse or fail to comply with a direction given to the person, or a requirement made of the person, in the exercise of a public health risk power under an authorisation given under section 189 - Natural person | Court Ordered Penalty | $22,190.40 | $23,077.20 |
| 193 (1) Compliance with direction or requirement - A person must not refuse or fail to comply with a direction given to the person, or a requirement made of the person, in the exercise of a public health risk power under an authorisation given under section 189 - Body corporate | Court Ordered Penalty | $110,952.00 | $115,386.00 |
| 194 (4) Secretary or Council may issue improvement notice or prohibition notice - A person to whom an improvement notice or a prohibition notice is issued must comply with the improvement notice or prohibition notice - Natural person | Court Ordered Penalty | $22,190.40 | $23,077.20 |
| 194 (4) Secretary or Council may issue improvement notice or prohibition notice - A person to whom an improvement notice or a prohibition notice is issued must comply with the improvement notice or prohibition notice - Body corporate | Court Ordered Penalty | $110,952.00 | $115,386.00 |
| 197 (7) Special provisions relating to nuisances - A person who fails to comply with an order under subsection (4) is guilty of an offence unless the person satisfies the Magistrates' Court that the person has, in seeking to comply with the order, exercised due diligence - Natural person | Court Ordered Penalty | $22,190.40 | $23,077.20 |
| 197 (7) Special provisions relating to nuisances - A person who fails to comply with an order under subsection (4) is guilty of an offence unless the person satisfies the Magistrates' Court that the person has, in seeking to comply with the order, exercised due diligence - Body corporate | Court Ordered Penalty | $110,952.00 | $115,386.00 |
| 203 (1) Compliance with direction or other requirement - A person must not refuse or fail to comply with a direction given to the person, or a requirement made of the person, in the exercise of a power under an authorisation given under section 199 - Natural person | Court Ordered Penalty | $22,190.40 | $23,077.20 |
| 203 (1) Compliance with direction or other requirement - A person must not refuse or fail to comply with a direction given to the person, or a requirement made of the person, in the exercise of a power under an authorisation given under section 199 - Body corporate | Court Ordered Penalty | $110,952.00 | $115,386.00 |
| 210 (1) - False or misleading information - A person must not – (a) give information that is false or misleading  in a material particular; or (b) make a statement that is false or misleading in a material particular; or (c) produce a document that is false or misleading in a material particular - to the Secretary, a Council, the Chief Health Officer or an authorised officer under this Act or the regulations without indicating the respect in which it is false or misleading and, if practicable, providing correct information - Natural person | Court Ordered Penalty | $11,094.98 | $11,538.60 |
| 210 (1) - False or misleading information - A person must not – (a) give information that is false or misleading  in a material particular; or (b) make a statement that is false or misleading in a material particular; or (c) produce a document that is false or misleading in a material particular - to the Secretary, a Council, the Chief Health Officer or an authorised officer under this Act or the regulations without indicating the respect in which it is false or misleading and, if practicable, providing correct information - Body corporate | Court Ordered Penalty | $55,476.00 | $57,693.00 |
| 210 (2) A person must not make an entry in a document required to be kept by this Act or the regulations that is false or misleading - Natural person | Court Ordered Penalty | $11,095.20 | $11,538.60 |
| 210 (2) A person must not make an entry in a document required to be kept by this Act or the regulations that is false or misleading - Body corporate | Court Ordered Penalty | $55,476.00 | $57,693.00 |
| 211 Destroying or damaging records - Natural person | Court Ordered Penalty | $11,095.20 | $11,538.60 |
| 211 Destroying or damaging records - Body corporate | Court Ordered Penalty | $55,476.00 | $57,693.00 |

# Public Health and Wellbeing Regulation 2019

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| **Public Health and Wellbeing Regulations 2019** | **Associated with** | **2022-2023 penalty** | **2023-2024 penalty (current year)** |
| 15 Duty to control mosquito breeding grounds | Court Ordered Penalty | $1,849.20 | $1,923.10 |
| 16(5) Failure to Comply With council authorised officer direction to do all or any of the following: control mosquito breeding ground, control adult mosquito population, abate conditions conducive to a mosquito breeding ground | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 16(5) Failure to Comply With council authorised officer direction to do all or any of the following: control mosquito breeding ground, control adult mosquito population, abate conditions conducive to a mosquito breeding ground | Infringement penalty | $739.68 | $769.24 |
| 17(5) Failure to Comply With council authorised officer direction to do all or any of the following: control mosquito breeding ground, control adult mosquito population, abate conditions conducive to a mosquito breeding ground | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 17(5) Failure to Comply With council authorised officer direction to do all or any of the following: control mosquito breeding ground, control adult mosquito population, abate conditions conducive to a mosquito breeding ground | Infringement penalty | $739.68 | $769.24 |
| 20(6) Failure to comply with council authorised officer direction in relation to a disease vector control notice | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 20(6) Failure to comply with council authorised officer direction in relation to a disease vector control notice | Infringement penalty | $739.68 | $769.24 |
| 21(6) Failure to comply with any other authorised officer direction in relation to a disease vector control notice | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 21(6) Failure to comply with any other authorised officer direction in relation to a disease vector control notice | Infringement penalty | $739.68 | $769.24 |
| 29 Failure by proprietor or occupier to keep registered premises in a clean, sanitary and hygienic condition | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 29 Failure by proprietor or occupier to keep registered premises in a clean, sanitary and hygienic condition | Infringement penalty | $739.68 | $769.24 |
| 30 Failure by proprietor or occupier to ensure articles used for skin penetration are sterile at the time of use | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 30 Failure by proprietor or occupier to ensure articles used for skin penetration are sterile at the time of use | Infringement penalty | $739.68 | $769.24 |
| 31(1) Failure by proprietor or occupier to ensure articles used for skin penetration are disposed of or are sterilised | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 31(1) Failure by proprietor or occupier to ensure articles used for skin penetration are disposed of or are sterilised | Infringement penalty | $739.68 | $769.24 |
| 32 Failure by proprietor or occupier to ensure other articles used are clean before use | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 32 Failure by proprietor or occupier to ensure other articles used are clean before use | Infringement penalty | $739.68 | $769.24 |
| 33 Failure by proprietor or occupier to uphold personal hygiene standards before a personal service is carried out on another person | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 33 Failure by proprietor or occupier to uphold personal hygiene standards before a personal service is carried out on another person | Infringement penalty | $739.68 | $769.24 |
| 34 Failure by proprietor or occupier to ensure accessible handwashing facilities are available for use by staff | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 34 Failure by proprietor or occupier to ensure accessible handwashing facilities are available for use by staff | Infringement penalty | $739.68 | $769.24 |
| 35(2) Failure by proprietor or occupier to provide written information in an approved form about risks and safeguards associated with certain process (tattooing, ear piercing, body piercing or any other skin penetration processes) | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 35(2) Failure by proprietor or occupier to provide written information in an approved form about risks and safeguards associated with certain process (tattooing, ear piercing, body piercing or any other skin penetration processes) | Infringement penalty | $739.68 | $769.24 |
| 36(1) Failure by proprietor or occupier to keep client information where tattooing, body piercing, or any other skin penetration processes are provided | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 36(1) Failure by proprietor or occupier to keep client information where tattooing, body piercing, or any other skin penetration processes are provided | Infringement penalty | $739.68 | $769.24 |
| 37 Proprietor or occupier who states or permits to be stated in any advertisement, notice or sign, that the premises were registered or approved for any class of business other than that set out in the certificate of registration | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 37 Proprietor or occupier who states or permits to be stated in any advertisement, notice or sign, that the premises were registered or approved for any class of business other than that set out in the certificate of registration | Infringement penalty | $739.68 | $769.24 |
| 38(1) Failure by proprietor or occupier to display a notice approved by the secretary about scope of registration for the class of business registered | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 38(1) Failure by proprietor or occupier to display a notice approved by the secretary about scope of registration for the class of business registered | Infringement penalty | $739.68 | $769.24 |
| 46 Duty to minimise risks arising from pathogenic micro-organisms in the water in the aquatic facility in accordance with the regulations and water quality guidelines. | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 48 Failure by aquatic facility operator to ensure specific chemical testing is performed at 4-hourly intervals | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 48 Failure by aquatic facility operator to ensure specific chemical testing is performed at 4-hourly intervals | Infringement penalty | $739.68 | $769.24 |
| 49 Failure by aquatic facility operator to maintain microbiological standard of water in aquatic facility within set parameters | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 49 Failure by aquatic facility operator to maintain microbiological standard of water in aquatic facility within set parameters | Infringement penalty | $739.68 | $769.24 |
| 50 Failure by aquatic facility operator to keep aquatic facility in a clean, sanitary and hygienic condition | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 50 Failure by aquatic facility operator to keep aquatic facility in a clean, sanitary and hygienic condition | Infringement penalty | $739.68 | $769.24 |
| 51 Failure by aquatic facility operator to maintain water in a clear condition | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 51 Failure by aquatic facility operator to maintain water in a clear condition | Infringement penalty | $739.68 | $769.24 |
| 52 Failure by aquatic facility operator to keep water temperature from exceeding 40 degrees Celsius | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 52 Failure by aquatic facility operator to keep water temperature from exceeding 40 degrees Celsius | Infringement penalty | $739.68 | $769.24 |
| 53 Failure by aquatic facility operator to filter water in aquatic facility so visible extraneous matter is removed | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 53 Failure by aquatic facility operator to filter water in aquatic facility so visible extraneous matter is removed | Infringement penalty | $739.68 | $769.24 |
| 54(1) Failure by aquatic facility operator to treat aquatic facility or spa pool with a chlorine or bromine-based disinfectant | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 54(1) Failure by aquatic facility operator to treat aquatic facility or spa pool with a chlorine or bromine-based disinfectant | Infringement penalty | $739.68 | $769.24 |
| 54(2) Failure by aquatic facility operator to treat aquatic facility with chlorine-based disinfectant in accordance with set parameters - cyanuric acid not used | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 54(2) Failure by aquatic facility operator to treat aquatic facility with chlorine-based disinfectant in accordance with set parameters - cyanuric acid not used | Infringement penalty | $739.68 | $769.24 |
| 54(3) Failure by aquatic facility operator to treat aquatic facility with chlorine-based disinfectant in accordance with set parameters - cyanuric acid used | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 54(3) Failure by aquatic facility operator to treat aquatic facility with chlorine-based disinfectant in accordance with set parameters - cyanuric acid used | Infringement penalty | $739.68 | $769.24 |
| 54(4) Failure by aquatic facility operator to treat spa pool with chlorine-based disinfectant in accordance with set parameters | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 54(4) Failure by aquatic facility operator to treat spa pool with chlorine-based disinfectant in accordance with set parameters | Infringement penalty | $739.68 | $769.24 |
| 54(5) Failure by aquatic facility operator to treat aquatic facility with bromine-based disinfectant in accordance with set parameters | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 54(5) Failure by aquatic facility operator to treat aquatic facility with bromine-based disinfectant in accordance with set parameters | Infringement penalty | $739.68 | $769.24 |
| 54(6) Failure by aquatic facility operator to treat spa pool with bromine-based disinfectant in accordance with set parameters | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 54(6) Failure by aquatic facility operator to treat spa pool with bromine-based disinfectant in accordance with set parameters | Infringement penalty | $739.68 | $769.24 |
| 55 (2) Failure by aquatic facility operator to ensure cyanuric acid level in water in aquatic facility does not exceed 100mg/l | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 55 (2) Failure by aquatic facility operator to ensure cyanuric acid level in water in aquatic facility does not exceed 100mg/l | Infringement penalty | $739.68 | $769.24 |
| 56 Failure by aquatic facility operator to ensure total alkalinity level is maintained above 60 mg/l. | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 56 Failure by aquatic facility operator to ensure total alkalinity level is maintained above 60 mg/l. | Infringement penalty | $739.68 | $769.24 |
| 57 Failure by aquatic facility operator to ensure combined chlorine is within set parameters | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 57 Failure by aquatic facility operator to ensure combined chlorine is within set parameters | Infringement penalty | $739.68 | $769.24 |
| 58(2) Failure by aquatic facility operator to test water in accordance with direction in response to an aquatic facility that is suspected or implicated as the source of infection | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 58(2) Failure by aquatic facility operator to test water in accordance with direction in response to an aquatic facility that is suspected or implicated as the source of infection | Infringement penalty | $739.68 | $769.24 |
| 58(3) Failure by aquatic facility operator to treat water in accordance with direction in response to an aquatic facility that is suspected or implicated as the source of infection | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 58(3) Failure by aquatic facility operator to treat water in accordance with direction in response to an aquatic facility that is suspected or implicated as the source of infection | Infringement penalty | $739.68 | $769.24 |
| 59(2) Failure to undertake necessary procedure in relation to non-compliant microbiological sample | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 59(3) Failure by aquatic facility operator to provide sample of water to a laboratory to assess compliance within 48 hours of receiving notification of non-compliant microbiological parameters | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 59(3) Failure by aquatic facility operator to provide sample of water to a laboratory to assess compliance within 48 hours of receiving notification of non-compliant microbiological parameters | Infringement penalty | $739.68 | $769.24 |
| 59(4) Failure by aquatic facility operator to notify council of test results | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 59(4) Failure by aquatic facility operator to notify council of test results | Infringement penalty | $739.68 | $769.24 |
| 59(5) Failure by aquatic facility operator to repeat corrective action and testing of water within 24 hours if the water does not meet microbiological parameters in accordance with testing undertaken in sub-regulation 59(3) | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 59(5) Failure by aquatic facility operator to repeat corrective action and testing of water within 24 hours if the water does not meet microbiological parameters in accordance with testing undertaken in sub-regulation 59(3) | Infringement penalty | $739.68 | $769.24 |
| 59(6) Failure by aquatic facility operator to close aquatic facility and not operate if the water does not meet microbiological parameters in accordance with testing undertaken in sub-regulation 59(5) | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 59(6) Failure by aquatic facility operator to close aquatic facility and not operate if the water does not meet microbiological parameters in accordance with testing undertaken in sub-regulation 59(5) | Infringement penalty | $739.68 | $769.24 |
| 59(7) Failure by aquatic facility operator to notify council of closure | Court Ordered Penalty | $1,849.20 | $1,923.10 |
| 59(7) Failure by aquatic facility operator to notify council of closure | Infringement penalty | $369.84 | $384.62 |
| 60 Tampering with water sample | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 61 Failure by aquatic facility operator to keep required records | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 61 Failure by aquatic facility operator to keep required records | Infringement penalty | $739.68 | $769.24 |
| 68 Failure by responsible person to continuously treat recirculating water in cooling tower system | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 68 Failure by responsible person to continuously treat recirculating water in cooling tower system | Infringement penalty | $739.68 | $769.24 |
| 69 Failure by responsible person to undertake disinfection, cleaning and re-disinfection of cooling tower system prior to operation for the first time or following a period of specified shut down | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 69 Failure by responsible person to undertake disinfection, cleaning and re-disinfection of cooling tower system prior to operation for the first time or following a period of specified shut down | Infringement penalty | $739.68 | $769.24 |
| 70 (1) Failure by responsible person to ensure monthly servicing to determine whether cooling tower system is operating without defects | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 70 (1) Failure by responsible person to ensure monthly servicing to determine whether cooling tower system is operating without defects | Infringement penalty | $739.68 | $769.24 |
| 70(2) Failure by responsible person to take sample of recirculating water each month | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 70(2) Failure by responsible person to take sample of recirculating water each month | Infringement penalty | $739.68 | $769.24 |
| 70(3) Failure by responsible person to test for legionella every three months | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 70(3) Failure by responsible person to test for legionella every three months | Infringement penalty | $739.68 | $769.24 |
| 70(3) Failure by responsible person to test for legionella every three months | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 71(2) Failure by responsible person to implement procedure for high heterotopic count | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 71(3) Failure by responsible person to test recirculating water between 2 and 7 days after receiving notification of high heterotrophic colony count | Infringement penalty | $739.68 | $769.24 |
| 71(3) Failure by responsible person to test recirculating water between 2 and 7 days after receiving notification of high heterotrophic colony count | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 71 (4) Failure by responsible person to disinfect recirculating water within 24 hours in response to receiving report about high heterotrophic colony count for a sample taken in accordance with sub-regulation 71(3) | Infringement penalty | $739.68 | $769.24 |
| 71 (4) Failure by responsible person to disinfect recirculating water within 24 hours in response to receiving report about high heterotrophic colony count for a sample taken in accordance with sub-regulation 71(3) | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 71 (5) Failure by responsible person to test recirculating water between 2 and 7 days after the recirculating water has been disinfected in accordance with sub-regulation 71(4) | Infringement penalty | $739.68 | $769.24 |
| 71 (5) Failure by responsible person to test recirculating water between 2 and 7 days after the recirculating water has been disinfected in accordance with sub-regulation 71(4) | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 71(6) Failure by responsible person to repeat disinfection and testing procedures or shut down cooling tower system after a further report of high heterotrophic colony count in a sample taken in accordance with sub-regulation 71(5) | Infringement penalty | $739.68 | $769.24 |
| 71(6) Failure by responsible person to repeat disinfection and testing procedures or shut down cooling tower system after a further report of high heterotrophic colony count in a sample taken in accordance with sub-regulation 71(5) | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 72(2) Failure by responsible person implement procedure for high heterotopic count (alternate procedure) | Court Ordered Penalty | $739.68 | $769.24 |
| 72(3) Failure by responsible person to test recirculating water within 7 days of receiving notification of high heterotrophic colony count - alternate procedure | Infringement penalty | $739.68 | $769.24 |
| 72(3) Failure by responsible person to test recirculating water within 7 days of receiving notification of high heterotrophic colony count - alternate procedure | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 72(4) Failure by responsible person to disinfect recirculating water within 24 hours in response to receiving report about high heterotrophic colony count for a sample taken in accordance with sub-regulation 72(3) - alternate procedure | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 72(4) Failure by responsible person to disinfect recirculating water within 24 hours in response to receiving report about high heterotrophic colony count for a sample taken in accordance with sub-regulation 72(3) - alternate procedure | Infringement penalty | $739.68 | $769.24 |
| 72(5) Failure by responsible person to test recirculating water between 2 and 7 days after the recirculating water has been disinfected in accordance with sub-regulation 72(4) - alternate procedure | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 72(5) Failure by responsible person to test recirculating water between 2 and 7 days after the recirculating water has been disinfected in accordance with sub-regulation 72(4) - alternate procedure | Infringement penalty | $739.68 | $769.24 |
| 72(6) Failure by responsible person to repeat disinfection and test procedures or shut down cooling tower system after a further report of high heterotrophic colony count in a sample in accordance with sub-regulation 72(5) - alternate procedure | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 72(6) Failure by responsible person to repeat disinfection and test procedures or shut down cooling tower system after a further report of high heterotrophic colony count in a sample in accordance with sub-regulation 72(5) - alternate procedure | Infringement penalty | $739.68 | $769.24 |
| 73(2) Failure by responsible person implement procedure for legionella detection | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 73(3) Failure by responsible person to test recirculating water between 2 and 7 days after receiving notification of legionella detection | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 73(3) Failure by responsible person to test recirculating water between 2 and 7 days after receiving notification of legionella detection | Infringement penalty | $739.68 | $769.24 |
| 73(4) Failure by responsible person to disinfect recirculating water and clean interior of cooling tower within 24 hours after receiving report about legionella detected for a sample taken in accordance with sub-regulation 73(3) | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 73(4) Failure by responsible person to disinfect recirculating water and clean interior of cooling tower within 24 hours after receiving report about legionella detected for a sample taken in accordance with sub-regulation 73(3) | Infringement penalty | $739.68 | $769.24 |
| 73(5) Failure by responsible person to further test recirculating water between 2 and 7 days after disinfection required by sub-regulation 73(4) has been completed (legionella) | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 73(5) Failure by responsible person to further test recirculating water between 2 and 7 days after disinfection required by sub-regulation 73(4) has been completed (legionella) | Infringement penalty | $739.68 | $769.24 |
| 73(6) Failure by responsible person to repeat disinfection procedures or shut down cooling tower system after a further report of legionella detection in a sample taken accordance with sub-regulation 73(5) | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 73(6) Failure by responsible person to repeat disinfection procedures or shut down cooling tower system after a further report of legionella detection in a sample taken accordance with sub-regulation 73(5) | Infringement penalty | $739.68 | $769.24 |
| 74(1) Failure by responsible person to notify if concentrations of legionella in a tested sample or recirculating water are more than 1000 colony forming units | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 74(1) Failure by responsible person to notify if concentrations of legionella in a tested sample or recirculating water are more than 1000 colony forming units | Infringement penalty | $739.68 | $769.24 |
| 75(1) Failure by responsible person to notify secretary of three consecutive detection of legionella within 24 hours | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 75(1) Failure by responsible person to notify secretary of three consecutive detection of legionella within 24 hours | Infringement penalty | $739.68 | $769.24 |
| 76 Failure by responsible person to undertake required response to notification of cooling tower suspected or implicated as source of infection | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 76 Failure by responsible person to undertake required response to notification of cooling tower suspected or implicated as source of infection | Infringement penalty | $739.68 | $769.24 |
| 77 Offence to tamper with sample or recirculating water | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 78 Offence to falsify laboratory report | Court Ordered Penalty | $739.68 | $769.24 |
| 79(1) Failure by responsible person to keep written records in respect of a cooling tower | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 79(1) Failure by responsible person to keep written records in respect of a cooling tower | Infringement penalty | $739.68 | $769.24 |
| 79(2) Failure by responsible person to produce written records upon request of an authorised officer | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 79(2) Failure by responsible person to produce written records upon request of an authorised officer | Infringement penalty | $739.68 | $769.24 |
| 82 Obligation to manage legionella risks | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 83 Failure by responsible person to undertake required response to notification of suspected or implicated source of infection | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 83 Failure by responsible person to undertake required response to notification of suspected or implicated source of infection | Infringement penalty | $739.68 | $769.24 |
| 84 Offence to tamper with water sample | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 85 Offence to falsify lab report | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 100(2) Failure to comply with a written direction by an authorised officer for the purpose of investigating any notifiable condition or limiting the spread of infectious disease | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 100(2) Failure to comply with a written direction by an authorised officer for the purpose of investigating any notifiable condition or limiting the spread of infectious disease | Infringement penalty | $739.68 | $769.24 |
| 100A Failure to refuse or fail to comply with a direction given to the person, or requirement made of the person to provide their name and address, by a person directed under s.24 of the emergency management act 1986 to exercise a public health risk power | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 100A Failure to refuse or fail to comply with a direction given to the person, or requirement made of the person to provide their name and address, by a person directed under s.24 of the emergency management act 1986 to exercise a public health risk power | Infringement | $739.68 | $769.24 |
| 111 (1) Failure by person in charge of a primary school, education and care service premises or children's service to exclude child infected with or exposed to an infectious disease in accordance with schedule 7. | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 111 (1) Failure by person in charge of a primary school, education and care service premises or children's service to exclude child infected with or exposed to an infectious disease in accordance with schedule 7. | Infringement penalty | $739.68 | $769.24 |
| 111(4) Failure to comply with a chief health officer direction in relation to a direction to not attend an education and care services premises, children’s service or primary school | Court Ordered Penalty | $3,698.40 | $3,846.20 |

# Public Health and Wellbeing (Prescribed Accommodation) Regulation 2020

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| **Public Health and Wellbeing (Prescribed Accommodation) Regulation 2020** | **Associated with** | **2022-2023 penalty** | **2023-2024 penalty (current year)** |
| 11 (1) Overcrowding in prescribed accommodation - maximum number of persons in each bedroom | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 11 (2) Overcrowding in prescribed accommodation - requirement for size of bedroom | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 11 (2) Overcrowding in prescribed accommodation - requirement for size of bedroom (infringement) | Infringement penalty | $739.68 | $769.24 |
| 13 Maintenance of prescribed accommodation | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 14 (1) Cleanliness of prescribed accommodation - cleaning before re-use | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 14 (2) Cleanliness of prescribed accommodation - clean bed linen | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 15 (1) Water supplied to prescribed accommodation - supply of water | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 15 (1) Water supplied to prescribed accommodation - supply of water (infringement) | Infringement penalty | $739.68 | $769.24 |
| 15 (2) Water supplied to prescribed accommodation - supply of hot water | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 16 Drinking water and prescribed accommodation | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 17 Discharge of sewage and waste water in prescribed accommodation | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 18 Refuse receptacles and prescribed accommodation | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 19 Refuse disposal and prescribed accommodation | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 20 Toilet and bathing facilities in prescribed accommodation | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 20 Toilet and bathing facilities in prescribed accommodation (infringement) | Infringement penalty | $739.68 | $769.24 |
| 21 (1) Register of occupants of prescribed accommodation - names and addresses | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 21 (3) Register of occupants of prescribed accommodation - keep register for 12 months | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 22 Advertising and prescribed accommodation | Court Ordered Penalty | $3,698.40 | $3,846.20 |
| 22 Advertising and prescribed accommodation (infringement) | Infringement penalty | $739.68 | $769.24 |

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