



New South Wales

# Work Health and Safety Amendment (Penalty Notices) Regulation 2024

under the

Work Health and Safety Act 2011

Her Excellency the Governor, with the advice of the Executive Council, has made the following regulation under the *Work Health and Safety Act 2011*.

SOPHIE COTSIS, MP  
Minister for Work Health and Safety

## Explanatory note

The objects of this regulation are to—

- (a) prescribe additional offences under this regulation for which penalty notices may be issued, and
- (b) increase the amounts payable for penalty notices for offences under the *Work Health and Safety Act 2011* and this regulation that are currently prescribed as offences for which penalty notices may be issued.

## **Work Health and Safety Amendment (Penalty Notices) Regulation 2024**

under the

Work Health and Safety Act 2011

### **1 Name of regulation**

This regulation is the *Work Health and Safety Amendment (Penalty Notices) Regulation 2024*.

### **2 Commencement**

This regulation commences on the day on which it is published on the NSW legislation website.

## Schedule 1 Amendment of Work Health and Safety Regulation 2017

### Schedule 18A Penalty notice offences

Omit the schedule. Insert instead—

### Schedule 18A Penalty notice offences

#### 1 Application of schedule

- (1) For the Act, section 243—
  - (a) each offence created by a provision specified in this schedule is an offence for which a penalty notice may be issued, and
  - (b) the amount payable for the penalty notice is the amount specified opposite the provision.
- (2) If the provision is qualified by words that restrict its operation to limited kinds of offences or to offences committed in limited circumstances, the penalty notice may be issued only for—
  - (a) that limited kind of offence, or
  - (b) an offence committed in those limited circumstances.

#### Offences under the Act

Provision	Penalty—individuals	Penalty—body corporates
Section 38(1)	\$1,500	\$7,450
Sections 38(7), 75(1), 97(1), 210(1) and (2) and 273	\$750	\$3,750
Sections 43(1) and (2), 70(1)(c)–(e) and (2), 72(7), 79(3) and (4) and 193	\$900	\$4,500
Section 74(1)	\$300	\$1,500

#### Offences under this regulation

Provision	Penalty—individuals	Penalty—body corporates
Clauses 22(3), 46(2)–(4), 50(3), 66(2) and (5), 68(1), 77(5), 85(1)–(3), 149(1), 150(1) and (2), 165(1), 182(4), 184B, 184C(1), 213(1), 224(1) and (2), 253, 254, 295(1), 296, 298(1), 301, 302, 303(3), 304(2)–(4), 308, 312, 313(3), 316, 346(3), 347(3), 372(1), 387(2), 388(2) and (3), 403(1), 409(1), 415(2), 425(1) and (2), 426, 427(1) and (2), 429(5), 432(5), 438(1) and (2), 446(1) and (3), 451(5), 464(3), 465(1)–(3), 466(1) and (3), 482(3), 529, 557(8), 560 and 567(4)	\$550	\$2,700

<b>Provision</b>	<b>Penalty—individuals</b>	<b>Penalty—body corporates</b>
Clauses 40, 41(1) and (2), 42(1) and (2), 48(2), 50(1), 55(2), 67(4), 69, 72(1) and (2), 78(3) and (4), 79(2), 80(2)–(4), 142B, 142C, 154, 155(1) and (2), 156, 159, 160, 164(2), 166(1) and (2), 184O(1), 184Q, 184R, 184S, 201(2), 202(2), 208(2)–(5), 210(1), 215(4), 218(2), 225(2)–(5), 238(2), 299(1), 306(1) and (3), 309(1), 329, 330(1), (3) and (4), 334, 339(1) and (3), 340(1) and (2), 341(1), 342(1), (2) and (3), 346(1), 347(1), 349(1), 350(1), 356(2), 357(1)–(3), 360, 362(2), 376, 405(1), 406, 413, 415(1), 417(3), 419(1), 434, 435(1) and (3), 437(1) and (2), 442, 449, 450, 458(1) and (3), 459, 463(1), 464(1), 468(2) and (3), 469, 471(1) and (2), 473(2), 474(2)–(4), 475(1) and (2), 476(1) and (2), 477(1), (2) and (4)–(6), 481, 483(1) and (2), 554(1) and (3), 555(1) and (4) and 567(1)–(3)	\$900	\$4,500
Clauses 50(2), 76(2), 77(2)–(4), 85(4), 94(1), 96, 97, 98(1), 111, 124(1) and (2), 125(1), 126, 127(1), 139, 142(1), 142E(1) and (2), 143I(1), 143J, 143K(1), 143P(1), 143Q(1), 143ZD, 150(3), 165(2), 170, 175(1)–(3), 180, 181(2)–(4), 182(2), (3) and (5), 184J(1) and (2), 184T(1)–(4), 226(1), (3) and (4), 228, 229(1) and (2), 230(1)–(3), 237(2), (4) and (5), 260(3)–(5), 262(1), 273(3) and (4), 275(1), 282(1), 287, 288(1), 303(1), (2) and (4), 304(5), 313(1), (2) and (4), 326(1) and (2), 378(1) and (2), 390(2) and (3), 391(3), 418(1) and (2), 423(2), 444(1) and (2), 445(3) and (4), 461(1) and (2), 505(1), 506(1), 507(1), 512, 513(1), 525, 572(4), 587(1), 588(1), 593, 594(1) and 607	\$200	\$900
Clause 184U(1) and (2)	\$200	—