



Australian Government
Comcare

Work Health and Safety (Public Notification of Indexed Penalty Amounts) Notifiable Instrument 2024

I, Michael James Duke, acting Chief Executive Officer of Comcare, make the following notifiable instrument.

Dated 26 June 2024

Signed

Michael Duke
Acting Chief Executive Officer
Comcare

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1 Name

This instrument is the *Work Health and Safety (Public Notification of Indexed Penalty Amounts) Notifiable Instrument 2024*.

2 Commencement

This instrument commences on 1 July 2024.

3 Authority

This instrument is made under clause 6 of Schedule 4 of the *Work Health and Safety Act 2011 (Cth)* (the Act).

4 Definitions

Note: A number of expressions used in this instrument are defined in section 4 of the Act:

- (a) category 1 monetary penalty
- (b) category 2 monetary penalty
- (c) category 3 monetary penalty
- (d) regulator
- (e) tier A monetary penalty
- (f) tier B monetary penalty
- (g) tier C monetary penalty
- (h) tier D monetary penalty
- (i) tier E monetary penalty
- (j) tier F monetary penalty
- (k) tier G monetary penalty
- (l) tier H monetary penalty
- (m) tier I monetary penalty
- (n) WHS civil penalty provision tier 1
- (o) WHS civil penalty provision tier 2
- (p) WHS civil penalty provision tier 3
- (q) WHS civil penalty provision tier 4

The following expression used in this instrument is defined in clause 7 of Schedule 4 of the Act:

- (q) CPI number

5 Monetary Penalty Amounts

Having taken notice of the CPI number for the March quarter of 2024, in Schedule 1 of this instrument the regulator gives notice of the amount of each monetary penalty calculated under Schedule 4 of the Act.

Schedule 1—Notice of Monetary Penalty Amounts

Table 1

Monetary Penalty Amounts – Categories 1 to 3

Monetary penalties – categories 1 to 3				
Item	Column 1 Type of penalty	Column 2 An individual who commits an offence as: (a) a person conducting a business undertaking; or (b) an officer of a person conducting a business undertaking	Column 3 An individual who commits an offence (other than as mentioned in column 2)	Column 4 A body corporate
1	the category 1 monetary penalty	\$3,327,000.00	\$1,663,000.00	\$16,634,000.00
2	the category 2 monetary penalty	\$464,000.00	\$232,000.00	\$2,318,000.00
3	the category 3 monetary penalty	\$155,000.00	\$78,000.00	\$776,000.00

Table 2
Monetary Penalty Amounts – Tiers A to I

Monetary penalties – tiers A to I			
Item	Column 1 Kind of penalty	Column 2 An individual	Column 3 A body corporate
1	the tier A monetary penalty	\$154,000.00	\$771,000.00
2	the tier B monetary penalty	\$78,000.00	\$388,000.00
3	the tier C monetary penalty	\$31,000.00	\$155,000.00
4	the tier D monetary penalty	\$16,000.00	\$78,000.00
5	the tier E monetary penalty	\$9,300.00	\$47,000.00
6	the tier F monetary penalty	\$7,800.00	\$39,000.00
7	the tier G monetary penalty	\$5,500.00	\$28,000.00
8	the tier H monetary penalty	\$3,100.00	\$16,000.00
9	the tier I monetary penalty	\$1,900.00	\$9,400.00

Table 3

Monetary Penalty Amounts – WHS civil penalty provision tiers 1 to 4

Monetary penalties – tiers 1 to 4			
Item	Column 1 Kind of penalty	Column 2 An individual	Column 3 A body corporate
1	the WHS civil penalty provision tier 1	\$31,000.00	\$155,000.00
2	the WHS civil penalty provision tier 2	\$16,000.00	\$78,000.00
3	the WHS civil penalty provision tier 3	\$7,800.00	\$39,000.00
4	the WHS civil penalty provision tier 4	\$3,100.00	\$16,000.00