

Increases to penalty provisions – Work Health and Safety Amendment (Review) Act 2020 Schedule 2 – Consequential amendments to the WHS Act

Penalty amounts from 2021-22 to 2022-23.

Sections	Penalty unit	Penalty for financial year 2021-22	New penalty for financial year 2022-23
31(1) and 32	3465	\$356,721	\$372,383
		3465 penalty units x \$102.95 (penalty unit value for 2021-22)	3465 penalty units x \$107.47 (penalty unit value for 2022-23)
31(1)	6925	\$712,928	\$744,229
31(1)	34,630	\$3,565,158	\$3,721,686
32	1730	\$178,103	\$185,923
32	17315	\$1,782,579	\$1,860,843
33, 38(1), 39(1), 41, 52(5), 56(2) 61(4), 70(1) and (2), 72(7), 72(7), 79(1), (3) and (4), 99(2), 118(3), 143, 144(1), 145, 146, 147 (1), 148, 155(5), 165(2), 171(6), 177(2) and (6), 188, 190, 193, 200(1), 219, 242(1) and (2), and 271(2) and (4)	575	\$59,196	\$61,795

Sections	Penalty unit	Penalty for financial year 2021-22	New penalty for financial year 2022-23
33, 42(1) and (2), 43(1) and (2), 44(1) and (2), 44(1) and (2), 45, 46, 47(1), 104(1), 107, 108(1), 109(1), and 197	1155	\$118,907	\$124,127
33, 104(1), 107, 108(1), 109(1), 197	5770	\$594,021	\$620,101
38(1), 39(1), 52(5), 53(1) and (2), 56(2), 57(1) and (2), 61(4), 70(1) and (2), 71(2), 72(7), 74(1), 79(1), (3), and (4), 118(2), 123, 124, 125, 126, 128, 129, 143, 144(1), 145, 146, 147(1), 148, 155(5), 165(2), 171(6), 172(2) and (6), 185(4), 188, 189, 268 (1) and (2), and 271 (2) and (4)	115	\$11,839	\$12,359
38(7), 75(1), 97(1) and (2), 150, 210(1) and (2) and 273	60	\$6,177	\$6,448
38(7), 75(1), 97(1) and (2), 150, 210(1) and (2), 273	290	\$29,856	\$31,166
41, 99(2), 190, 193, 200(1), 219 and 242(1)	2885	\$297,010	\$310,050
42(1) and (2), 43(1) and (2), 44(1) and (2), 45, 46 and 47(1)	230	\$23,678	\$24,718
53 (1) and (2), 57 (1) and (2), 74 (1) and 149(1)	25	\$2,573	\$2,686
272A	250	\$25,737	\$26,867
272A; 272B(1)	1250	\$128,687	\$134,337
272A	500	\$51,475	\$53,735
272A	2500	\$257,375	\$268,675

Penalties in previous years

Penalty amounts from 2019-20 to 2020-21

<https://www.safework.nsw.gov.au/legal-obligations/legislation/accordians/increases-to-penalty-provisions-work-health-and-safety-amendment-review-act-2020-schedule-2-consequential-amendments-to-the-whs-act>

05-08-22

Except where otherwise noted, content on this site is licensed under a Creative Commons Attribution 4.0 International License. To view a copy of this licence, visit: <https://creativecommons.org/licenses/by/4.0/>

Except where otherwise noted, content on this site is licensed under a Creative Commons Attribution 4.0 International License. To view a copy of this licence, visit: <https://creativecommons.org/licenses/by/4.0/>