

Workplace Legislation Amendment Act 2024

A2024-15

Contents

		Page
Part 1	Preliminary	
1	Name of Act	2
2	Commencement	2
3	Legislation amended	2
Part 2	Long Service Leave (Portable Schemes) Amendment Act 2023	
4	Commencement Section 2 (3)	3

J2022-1254

		Page
Part 3	Public Sector Management Act 1994	
5	New section 143A	4
6	New section 149A	4
Part 4	Work Health and Safety Act 2011	
7	Offences against Act—application of Criminal Code etc New section 12B (2)	5
8	Negligence or reckless conduct—category 1 Section 31 (1) (b)	5
9	Section 31 (1), penalty, except note	5
10	Failure to comply with health and safety duty—category 2 Section 32, penalty, except note	6
11	Failure to comply with health and safety duty—category 3 Section 33, penalty, except note	6
12	Industrial manslaughter Section 34A (1), penalty, except note	6
13	Contravening WHS entry permit conditions Section 123, penalty	6
14	Unauthorised use or disclosure of information or documents Section 148 (d)	7
15	Return of WHS entry permits Section 149 (1), penalty	7
16	Union to provide information to regulator Section 150, penalty	7
17	Abrogation of privilege against self-incrimination Section 172 (2)	7
18	Power to require name and address Section 185 (4), penalty, except note	8
19	Offence to impersonate inspector Section 189, penalty	8
20	Offence to assault, threaten or intimidate inspector Section 190, penalty	8
21	Division 13.4	8
22	When is a provision a <i>WHS civil penalty provision</i> Section 254 (1) (a) and (2) (a)	12

contents 2

Contents

		Page	
23	Additional ways that regulator may use and share information Section 271A (3) (b)	12	
24	Liability of officers for offences by body corporate under s 272A Section 272B (1), penalty, except note		
25	Regulation-making powers Section 276 (3) (g)	13	
26	New schedule 4	14	
27	Dictionary, new definitions	21	
28	Further amendments, penalties	22	
29	Further amendments, penalties	23	
30	Further amendments, penalties		
31	Further amendments, penalties		
32	Further amendments, penalties		
33	Further amendments, penalties		
34	Further amendments, penalties		
35	Further amendments, penalties		
Part 5	Work Health and Safety Regulation 2011		
36	Section 55C	27	
37	Psychosocial risks—control measures Section 55D (3), note	27	
38	Section 702 heading	27	
39	Section 702		
40	Further amendments, penalties	28	
41	Further amendments, penalties	30	
42	Further amendments, penalties		



Workplace Legislation Amendment Act 2024

A2024-15

An Act to amend workplace legislation, and for other purposes

The Legislative Assembly for the Australian Capital Territory enacts as follows:

Part 1 Preliminary

1 Name of Act

This Act is the Workplace Legislation Amendment Act 2024.

2 Commencement

(1) This Act (other than parts 4 and 5) commences on the day after its notification day.

Note The naming and commencement provisions automatically commence on the notification day (see Legislation Act, s 75 (1)).

(2) Parts 4 and 5 commence 4 months after this Act's notification day.

3 Legislation amended

This Act amends the following legislation:

- Long Service Leave (Portable Schemes) Amendment Act 2023
- Public Sector Management Act 1994
- Work Health and Safety Act 2011
- Work Health and Safety Regulation 2011.

Part 2 Long Service Leave (Portable Schemes) Amendment Act 2023

4 Commencement Section 2 (3)

substitute

(3) The remaining provisions commence on 1 April 2025.

Part 3 Public Sector Management Act 1994

5 New section 143A

insert

143A Independence of commissioner

Subject to this Act and to other territory laws, the commissioner has complete discretion in the exercise of the commissioner's functions.

6 New section 149A

in division 8.1, insert

149A Independence of public employees exercising commissioner functions

A public employee exercising a function of the commissioner is not subject to direction from anyone other than the following people in relation to the exercise of the function:

- (a) the commissioner;
- (b) another public employee authorised by the commissioner to give directions.

Part 4

Work Health and Safety Act 2011

7 Offences against Act—application of Criminal Code etc New section 12B (2)

after the note, insert

(2) However, the Criminal Code, part 2.5 (Corporate criminal responsibility) does not apply to an offence against this Act.

Note For this Act, corporate criminal responsibility is dealt with by div 13.4.

8 Negligence or reckless conduct—category 1 Section 31 (1) (b)

substitute

- (b) the person, without reasonable excuse, engages in conduct that—
 - (i) exposes an individual to whom the duty is owed to a risk of death or serious injury or illness; or
 - (ii) if the person is an officer of a person conducting a business or undertaking—exposes an individual, to whom the person conducting a business or undertaking owes a health and safety duty, to a risk of death or serious injury or illness; and

9 Section 31 (1), penalty, except note

substitute

Maximum penalty:

- (a) for an individual—category 1 monetary penalty or imprisonment for 10 years or both; or
- (b) for a body corporate—category 1 monetary penalty.

A2024-15

Workplace Legislation Amendment Act 2024

page 5

Failure to comply with health and safety duty—category 2 Section 32, penalty, except note

substitute

Maximum penalty: category 2 monetary penalty.

11 Failure to comply with health and safety duty—category 3 Section 33, penalty, except note

substitute

Maximum penalty: category 3 monetary penalty.

12 Industrial manslaughter Section 34A (1), penalty, except note

substitute

Maximum penalty:

- (a) for an individual—imprisonment for 20 years; or
- (b) for a body corporate—industrial manslaughter monetary penalty.

13 Contravening WHS entry permit conditions Section 123, penalty

substitute

Maximum penalty: WHS civil penalty provision tier 1.

14 Unauthorised use or disclosure of information or documents Section 148 (d)

omit

(Cwlth)

insert

(Cwlth))

15 Return of WHS entry permits Section 149 (1), penalty

substitute

Maximum penalty: WHS civil penalty provision tier 4.

16 Union to provide information to regulator Section 150, penalty

substitute

Maximum penalty: WHS civil penalty provision tier 3.

17 Abrogation of privilege against self-incrimination Section 172 (2)

substitute

(2) However, if the person is an individual, any information, document or thing obtained, directly or indirectly, because of the giving of the answer or the production of the document is not admissible in evidence against the individual in a civil or criminal proceeding, other than a proceeding for an offence arising out of the false or misleading nature of the answer, information or document.

Power to require name and address Section 185 (4), penalty, except note

substitute

Maximum penalty: tier D monetary penalty.

19 Offence to impersonate inspector Section 189, penalty

substitute

Maximum penalty: tier D monetary penalty.

20 Offence to assault, threaten or intimidate inspector Section 190, penalty

substitute

Maximum penalty:

- (a) for an individual—tier B monetary penalty or imprisonment for 2 years or both; or
- (b) for a body corporate—tier B monetary penalty.

21 Division 13.4

substitute

Division 13.4 Offences by bodies corporate

244 Definitions—div 13.4

In this division:

authorised person, for a body corporate, means an officer, employee or agent of the body corporate acting within their actual or apparent authority.

board of directors, of a body corporate, means the body, whatever it is called, exercising the executive authority of the body corporate.

244A Physical elements

The conduct constituting the physical element of an offence is taken to have been engaged in by a body corporate if the conduct is engaged in by—

- (a) the body corporate's board of directors; or
- (b) 1 or more authorised people for the body corporate; or
- (c) 1 or more people acting at the direction of or with the express or implied agreement or consent of—
 - (i) an authorised person for the body corporate; or
 - (ii) the body corporate's board of directors.

244B Fault elements other than negligence

- (1) If it is necessary to establish that a body corporate had a state of mind in relation to a physical element of an offence, it is sufficient to show that—
 - (a) the body corporate's board of directors—
 - (i) engaged in the conduct constituting the offence and had that state of mind in relation to the physical element of the offence; or
 - (ii) expressly, tacitly or impliedly authorised or permitted the conduct constituting the offence; or
 - (b) an authorised person for the body corporate—
 - (i) engaged in the conduct constituting the offence and had that state of mind in relation to the physical element of the offence; or
 - (ii) expressly, tacitly or impliedly authorised or permitted the conduct constituting the offence; or

- (c) a corporate culture existed within the body corporate that directed, encouraged, tolerated or led to the conduct constituting the offence.
- (1A) For subsection (1), having a state of mind in relation to a physical element of an offence does not include being negligent in relation to that physical element.

Note For how negligence applies in relation to a body corporate, see s 244BA.

- (2) Also—
 - (a) subsection (1) (b) and (c) do not apply if the body corporate proves it took reasonable precautions to prevent the conduct constituting the offence; and
 - (b) subsection (1) (b) (ii) does not apply if the body corporate proves it took reasonable precautions to prevent the authorised person from authorising or permitting the conduct constituting the offence.
- (3) Factors relevant to the application of subsection (1) (c) include—
 - (a) whether authority or permission to engage in the conduct constituting an offence, of the same or a similar character, had previously been given by a corporate officer of the body corporate; and
 - (b) whether the person who engaged in the conduct constituting the offence believed on reasonable grounds, or had a reasonable expectation, that a corporate officer of the body corporate would have authorised or permitted the conduct.
- (4) In this section:

corporate culture, within a body corporate, means 1 or more attitudes, policies, rules, courses of conduct or practices existing within the body corporate generally or in the part of the body corporate in which the relevant activity takes place.

corporate officer, of a body corporate, means an officer within the meaning of the Corporations Act, section 9AD.

244BA Negligence

(1) If negligence is a fault element in relation to a physical element of an offence, the fault element may exist on the part of a body corporate, despite no individual authorised person for the body corporate having the fault element, if the body corporate's conduct is negligent when viewed as a whole, determined by aggregating the conduct of more than 1 authorised person.

Note The test of negligence for a body corporate is that set out in the Criminal Code, s 21.

- (2) Negligence may be evidenced by the fact that the prohibited conduct was substantially attributable to—
 - (a) inadequate corporate management, control or supervision of the conduct of 1 or more authorised people; or
 - (b) failure to provide adequate systems for conveying relevant information to relevant people in the body corporate.

244C Mistake of fact

If mistake of fact is relevant to determining liability for an offence, a body corporate may rely on mistake of fact only if—

- (a) the employee, agent or officer of the body corporate who engaged in the conduct constituting the offence was under a mistaken but reasonable belief about facts that, had they existed, would have meant the conduct would not have constituted the offence; and
- (b) the body corporate proves it took reasonable precautions to prevent the conduct.

244D Failure to take reasonable precautions

For sections 244B (2) and 244C (b), a failure to take reasonable precautions may be evidenced by the fact that the conduct constituting the offence was substantially attributable to—

- (a) inadequate management, control or supervision of the conduct of 1 or more of the body corporate's employees, agents or officers; or
- (b) failure to provide adequate systems for conveying relevant information to relevant persons in the body corporate.

244E How this division applies to public authorities

If a body corporate is a public authority, this division applies in relation to the body corporate in accordance with section 251.

When is a provision a *WHS civil penalty provision* Section 254 (1) (a) and (2) (a)

omit

1 or more amounts by way of monetary penalty

substitute

a maximum penalty, expressed as a WHS civil penalty provision tier,

23 Additional ways that regulator may use and share information Section 271A (3) (b)

omit

territory

24 Liability of officers for offences by body corporate under s 272A Section 272B (1), penalty, except note

substitute

Maximum penalty: tier B monetary penalty.

25 Regulation-making powers Section 276 (3) (g)

substitute

- (g) prescribe the following penalties for an offence under a regulation:
 - (i) a tier E monetary penalty;
 - (ii) a tier F monetary penalty;
 - (iii) a tier G monetary penalty;
 - (iv) a tier H monetary penalty;
 - (v) a tier I monetary penalty.

26 New schedule 4

insert

Schedule 4 Penalty amounts

4.1 Monetary penalties—categories 1 to 3

In this Act:

category 1 monetary penalty means the following amounts as indexed under section 4.4 and rounded under section 4.5:

- (a) for an offence committed by an individual as a person conducting a business or undertaking or as an officer of a person conducting a business or undertaking—the amount mentioned in table 4.1, item 1, column 3; or
- (b) for an offence committed by any other individual—the amount mentioned in table 4.1, item 1, column 4,; or
- (c) for an offence committed by a body corporate—the amount mentioned in table 4.1, item 1, column 5.

category 2 monetary penalty means the following amounts as indexed under section 4.4 and rounded under section 4.5:

- (a) for an offence committed by an individual as a person conducting a business or undertaking or as an officer of a person conducting a business or undertaking—the amount mentioned in table 4.1, item 2, column 3; or
- (b) for an offence committed by any other individual—the amount mentioned in table 4.1, item 2, column 4; or
- (c) for an offence committed by a body corporate—the amount mentioned in table 4.1, item 2, column 5.

category 3 monetary penalty means the following amounts as indexed under section 4.4 and rounded under section 4.5:

- (a) for an offence committed by an individual as a person conducting a business or undertaking or as an officer of a person conducting a business or undertaking—the amount mentioned in table 4.1, item 3, column 3; or
- (b) for an offence committed by any other individual—the amount mentioned in table 4.1, item 3, column 4; or
- (c) for an offence committed by a body corporate—the amount mentioned in table 4.1, item 3, column 5.

Table 4.1 Monetary penalties—categories 1 to 3

column 1 item	column 2 monetary penalty category	column 3 monetary penalty— individual conducting business or undertaking etc	column 4 monetary penalty—other individual	column 5 monetary penalty— body corporate
1	category 1	\$2 085 000	\$1 042 000	\$10 425 000
2	category 2	\$418 000	\$209 000	\$2 090 000
3	category 3	\$140 000	\$70 000	\$700 000

4.1A Monetary penalties—industrial manslaughter

In this Act:

industrial manslaughter monetary penalty means \$18 000 000.

4.2 Monetary penalties—tiers A to I

In this Act:

tier A monetary penalty means the following amounts as indexed under section 4.4 and rounded under section 4.5:

- (a) for an offence committed by an individual—the amount mentioned in table 4.2, item 1, column 3; or
- (b) for an offence committed by a body corporate—the amount mentioned in table 4.2, item 1, column 4.

tier B monetary penalty means the following amounts as indexed under section 4.4 and rounded under section 4.5:

- (a) for an offence committed by an individual—the amount mentioned in table 4.2, item 2, column 3; or
- (b) for an offence committed by a body corporate—the amount mentioned in table 4.2, item 2, column 4.

tier C monetary penalty means the following amounts as indexed under section 4.4 and rounded under section 4.5:

- (a) for an offence committed by an individual—the amount mentioned in table 4.2, item 3, column 3; or
- (b) for an offence committed by a body corporate—the amount mentioned in table 4.2, item 3, column 4.

tier D monetary penalty means the following amounts as indexed under section 4.4 and rounded under section 4.5:

- (a) for an offence committed by an individual—the amount mentioned in table 4.2, item 4, column 3; or
- (b) for an offence committed by a body corporate—the amount mentioned in table 4.2, item 4, column 4.

tier E monetary penalty means the following amounts as indexed under section 4.4 and rounded under section 4.5:

- (a) for an offence committed by an individual—the amount mentioned in table 4.2, item 5, column 3; or
- (b) for an offence committed by a body corporate—the amount mentioned in table 4.2, item 5, column 4.

tier F monetary penalty means the following amounts as indexed under section 4.4 and rounded under section 4.5:

- (a) for an offence committed by an individual—the amount mentioned in table 4.2, item 6, column 3; or
- (b) for an offence committed by a body corporate—the amount mentioned in table 4.2, item 6, column 4.

tier G monetary penalty means the following amounts as indexed under section 4.4 and rounded under section 4.5:

- (a) for an offence committed by an individual—the amount mentioned in table 4.2, item 7, column 3; or
- (b) for an offence committed by a body corporate—the amount mentioned in table 4.2, item 7, column 4.

tier H monetary penalty means the following amounts as indexed under section 4.4 and rounded under section 4.5:

- (a) for an offence committed by an individual—the amount mentioned in table 4.2, item 8, column 3; or
- (b) for an offence committed by a body corporate—the amount mentioned in table 4.2, item 8, column 4.

tier I monetary penalty means the following amounts as indexed under section 4.4 and rounded under section 4.5:

(a) for an offence committed by an individual—the amount mentioned in table 4.2, item 9, column 3; or

(b) for an offence committed by a body corporate—the amount mentioned in table 4.2, item 9, column 4.

Table 4.2 Monetary penalties—tiers A to I

column 1 item	column 2 monetary penalty tier	column 3 monetary penalty— individual	column 4 monetary penalty— body corporate
1	tier A	\$139 000	\$695 000
2	tier B	\$70 000	\$350 000
3	tier C	\$28 000	\$140 000
4	tier D	\$14 000	\$70 000
5	tier E	\$8 400	\$42 000
6	tier F	\$7 000	\$35 000
7	tier G	\$5 000	\$25 000
8	tier H	\$2 800	\$14 000
9	tier I	\$1 700	\$8 500

4.3 Monetary penalties—WHS civil penalty tiers 1 to 4

In this Act:

WHS civil penalty provision tier 1 means the following amounts as indexed under section 4.4 and rounded under section 4.5:

- (a) for an offence committed by an individual—the amount mentioned in table 4.3, item 1, column 3; or
- (b) for an offence committed by a body corporate—the amount mentioned in table 4.3, item 1, column 4.

WHS civil penalty provision tier 2 means the following amounts as indexed under section 4.4 and rounded under section 4.5:

(a) for an offence committed by an individual—the amount mentioned in table 4.3, item 2, column 3; or

(b) for an offence committed by a body corporate—the amount mentioned in table 4.3, item 2, column 4.

WHS civil penalty provision tier 3 means the following amounts as indexed under section 4.4 and rounded under section 4.5:

- (a) for an offence committed by an individual—the amount mentioned in table 4.3, item 3, column 3; or
- (b) for an offence committed by a body corporate—the amount mentioned in table 4.3, item 3, column 4.

WHS civil penalty provision tier 4 means the following amounts as indexed under section 4.4 and rounded under section 4.5:

- (a) for an offence committed by an individual—the amount mentioned in table 4.3, item 4, column 3; or
- (b) for an offence committed by a body corporate—the amount mentioned in table 4.3, item 4, column 4.

Table 4.3 WHS civil penalty provision—tiers 1 to 4

column 1 item	column 2 monetary penalty tier	column 3 monetary penalty— individual	column 4 monetary penalty— body corporate
1	tier 1	\$28 000	\$140 000
2	tier 2	\$14 000	\$70 000
3	tier 3	\$7 000	\$35 000
4	tier 4	\$2 800	\$14 000

4.4 Indexation of penalty amounts

(1) The amount of each monetary penalty set out in sections 4.1 to 4.3 must be indexed for the year starting on 1 July 2024, and for each subsequent year, in accordance with this section.

(2) The amount of a monetary penalty applying in a year is worked out as follows:

$$A \times \frac{B}{C}$$

A means the amount of a monetary penalty set out in sections 4.1 to 4.3.

B means the CPI number for the March quarter in the year immediately preceding the year for which the amount is worked out.

C means the CPI number for the March quarter of 2022.

- (3) If the amount of a monetary penalty worked out for a year is less than the amount that applied in the previous year, then the amount for the previous year continues to apply.
- (4) In this section:

CPI number means the All Groups Consumer Price Index number, that is, the weighted average of the 8 Australian capital cities, published by the Australian statistician.

year means 12 months starting on 1 July.

4.5 Rounding of maximum penalty amounts

If, after indexation under section 4.4, the amount of a monetary penalty is—

- (a) less than \$10 000 and not a multiple of \$100—
 - (i) the amount must be rounded to the nearest \$100; and
 - (ii) an amount of \$50 is rounded down; or
- (b) more than \$10 000 and not a multiple of \$1 000—
 - (i) the amount must be rounded to the nearest \$1 000; and
 - (ii) an amount of \$500 is rounded down.

4.6 Notification of adjusted maximum penalty amounts

- (1) As soon as practicable after publication by the Australian statistician of the CPI number for the March quarter each year, the regulator must give notice of the amount of each monetary penalty worked out under this schedule.
- (2) A notice is a notifiable instrument.

27 Dictionary, new definitions

insert

authorised person, for a body corporate, for division 13.4 (Offences by bodies corporate)—see section 244.

board of directors, for a body corporate, for division 13.4 (Offences by bodies corporate)—see section 244.

category 1 monetary penalty—see schedule 4, section 4.1.

category 2 monetary penalty—see schedule 4, section 4.1.

category 3 monetary penalty—see schedule 4, section 4.1.

fault element—see the Criminal Code, section 17.

industrial manslaughter monetary penalty—see schedule 4, section 4.1A.

physical element—see the Criminal Code, section 14.

tier A monetary penalty—see schedule 4, section 4.2.

tier B monetary penalty—see schedule 4, section 4.2.

tier C monetary penalty—see schedule 4, section 4.2.

tier D monetary penalty—see schedule 4, section 4.2.

tier E monetary penalty—see schedule 4, section 4.2.

tier F monetary penalty—see schedule 4, section 4.2.

tier G monetary penalty—see schedule 4, section 4.2.

tier H monetary penalty—see schedule 4, section 4.2.

tier I monetary penalty—see schedule 4, section 4.2.

WHS civil penalty provision tier 1—see schedule 4, section 4.3.

WHS civil penalty provision tier 2—see schedule 4, section 4.3.

WHS civil penalty provision tier 3—see schedule 4, section 4.3.

WHS civil penalty provision tier 4—see schedule 4, section 4.3.

28 Further amendments, penalties

omit

Maximum penalty:

- (a) in the case of an individual—\$100 000; or
- (b) in the case of a body corporate—\$500 000.

substitute

Maximum penalty: tier A monetary penalty.

- section 104
- sections 107 to 109
- section 197
- section 197D

omit

Maximum penalty:

- (a) in the case of an individual—\$50 000; or
- (b) in the case of a body corporate—\$250 000.

substitute

Maximum penalty: tier B monetary penalty.

in

- section 41
- section 99
- section 193
- section 200
- section 219
- section 242
- section 272A

30 Further amendments, penalties

omit

Maximum penalty:

- (a) in the case of an individual—\$20 000; or
- (b) in the case of a body corporate—\$100 000.

substitute

Maximum penalty: tier C monetary penalty.

in

sections 42 to 47

omit

Maximum penalty:

- (a) in the case of an individual—\$10 000; or
- (b) in the case of a body corporate—\$50 000.

substitute

Maximum penalty: tier D monetary penalty.

- sections 38 and 39
- section 50A
- section 52
- section 56
- section 61
- sections 70 to 72A
- sections 79 and 79A
- section 155
- section 165
- section 171
- section 177
- section 188
- section 271

omit

Maximum penalty:

- (a) in the case of an individual—\$5 000; or
- (b) in the case of a body corporate—\$25 000.

substitute

Maximum penalty: tier F monetary penalty.

in

- section 38
- section 75
- section 97
- section 210
- section 273

33 Further amendments, penalties

omit

Maximum penalty:

- (a) in the case of an individual—\$2 000; or
- (b) in the case of a body corporate—\$10 000.

substitute

Maximum penalty: tier H monetary penalty.

- section 53
- section 57
- section 74

omit

Maximum penalty:

- (a) in the case of an individual—\$10 000; or
- (b) in the case of a body corporate—\$50 000.

substitute

Maximum penalty: WHS civil penalty provision tier 2.

in

- section 118
- sections 143 to 145
- sections 147 and 148

35 Further amendments, penalties

omit

Maximum penalty: \$10 000.

substitute

Maximum penalty: WHS civil penalty provision tier 2.

- sections 124 to 126
- sections 128 and 129
- section 146

Part 5 Work Health and Safety Regulation 2011

36 Section 55C

substitute

55C Managing psychosocial risks

A person conducting a business or undertaking must—

- (a) manage psychosocial risks in accordance with part 3.1 (Managing risks to health and safety); and
- (b) implement the control measures required by section 55D.

Note WHS Act—s 19 (see s 9).

37 Psychosocial risks—control measures Section 55D (3), note

omit

38 Section 702 heading

substitute

702 Confidentiality of information—exception relating to administration or enforcement of other laws

39 Section 702

omit

section 271 (3) (c) (ii)

insert

section 271A (3) (b)

omit

Maximum penalty:

- (a) in the case of an individual—\$3 600; or
- (b) in the case of a body corporate—\$18 000.

substitute

Maximum penalty: tier G monetary penalty.

- section 19
- section 22
- sections 46 and 47
- section 50
- section 66
- section 68
- section 70
- section 77
- section 85
- sections 149 to 151
- section 162
- section 165
- section 176
- section 182
- sections 187 and 188
- sections 195 and 196
- section 198
- section 200
- section 213
- section 224

- sections 235 and 236
- section 239
- sections 253 and 254
- sections 294 to 296
- section 298
- sections 301 to 304
- section 308
- sections 310 to 313
- sections 316 and 317
- section 327
- sections 336 to 338
- section 344
- sections 346 and 347
- section 369
- sections 371 to 373
- section 385
- sections 387 and 388
- section 398
- section 401
- section 403
- sections 409 and 410
- section 415
- sections 425 to 430
- sections 432 and 433
- sections 438 and 439
- section 446
- section 448
- section 451
- sections 454 and 455

- sections 464 to 466
- section 482
- section 529
- sections 547 and 548
- section 551
- section 553
- section 555
- section 557
- section 560
- sections 562 and 563
- section 567
- section 570
- section 576

omit

Maximum penalty:

- (a) in the case of an individual—\$6 000; or
- (b) in the case of a body corporate—\$30 000.

substitute

Maximum penalty: tier E monetary penalty.

- sections 39 to 45
- sections 48 to 50
- section 53
- section 55
- sections 57 to 59
- section 61

- sections 64 and 65
- section 67
- section 69
- sections 71 to 76
- sections 78 to 80
- section 84
- sections 154 to 161
- sections 163 and 164
- section 166
- section 168
- sections 177 to 179
- section 183
- sections 189 to 194
- section 197
- section 199
- sections 201 and 202
- sections 204 to 212
- sections 215 to 219
- sections 222 and 223
- section 225
- sections 231 to 234
- section 238
- sections 240 and 241
- sections 299 and 300
- section 306
- section 309
- section 314
- sections 329 to 335
- sections 339 to 350

- sections 352 to 363
- sections 365 to 368
- sections 370 and 371
- sections 374 to 377
- section 379
- section 389
- section 391
- sections 395 to 400
- section 402
- sections 405 to 408
- sections 411 to 417
- sections 418B to 420
- section 422
- section 424
- section 429
- section 432
- sections 434 to 437
- sections 440 to 443
- section 445
- sections 449 to 453
- sections 456 to 460
- sections 462 to 464
- sections 467 to 477
- sections 479 to 484
- section 536
- sections 554 to 559
- sections 564 to 569
- sections 571 to 575

omit

Maximum penalty:

- (a) in the case of an individual—\$1 250; or
- (b) in the case of a body corporate—\$6 000.

substitute

Maximum penalty: tier I monetary penalty.

- section 50
- section 66
- sections 76 and 77
- section 85
- section 94
- sections 96 to 98
- section 111
- section 142
- section 150
- section 162
- section 165
- section 170
- sections 175 and 176
- sections 180 to 182
- section 226
- sections 228 to 230
- section 237
- section 242
- section 260
- section 262

- section 273
- section 275
- section 282
- sections 287 and 288
- section 288D
- sections 303 and 304
- section 313
- section 326
- section 340
- section 364
- section 378
- sections 390 and 391
- section 404
- section 418
- section 418D
- section 423
- sections 444 to 445A
- section 461
- sections 505 to 507
- sections 512 and 513
- section 525
- section 572
- sections 587 and 588
- sections 593 and 594
- section 607

Endnotes

1 Presentation speech

Presentation speech made in the Legislative Assembly on 8 February 2024.

2 Notification

Notified under the Legislation Act on 19 April 2024.

3 Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.

I certify that the above is a true copy of the Workplace Legislation Amendment Bill 2024, which was passed by the Legislative Assembly on 11 April 2024.

Acting Clerk of the Legislative Assembly

© Australian Capital Territory 2024