



ACT WorkCover

REMINDER NOTICE
Occupational Health & Safety Act 1989, s.75L

Approved form 2002/2 made under the *Occupational Health and Safety Act 1989*

Version 3/01/02

Number 0001

Form 2

Date of Service: _____ 200 .
(the date the notice is or be served on the person; write full name of month)

To _____ of _____
(this is the name of the person on whom the Notice is served) (Street or Unit number)

(Street) (Suburb)

in the Australian Capital Territory, _____ A.C.N. or
(Post Code) A.B.N. _____

I, _____ being authorised person occupying
(name of the officer making the decision)

position no: _____ permitted to serve a Reminder Notice for the purposes of the *Occupational Health and Safety Act 1989*, am of the opinion that based on evidence before me you have been served with Infringement Notice(s) for contravention of section(s) _____ of the *Occupational Health & Safety Act 1989* on the following date(s) _____ and all of the following occurred:

- the infringement notice penalty for the offence has not been paid; and
- the infringement notice has not been withdrawn; and
- written notice disputing liability has not been received from you by ACT WorkCover from the person for the offence; and
- written notice disputing your liability has not been given to the administering authority; and
- a reminder notice has not previously been served on you for the offence.

Consequently, your Infringement Notice penalty has been **increased** by **\$34.00** to \$ _____ and is **now payable**.

Issued to _____	Position _____	(the person penalised)
Recipients signature _____	Phone () _____	Facsimile () _____
Inspector's signature _____	Date _____	Time _____ AM/PM
This is relevant if this Reminder Notice is served personally on the person the subject of the Notice		

👉 This is important notice:

This document is in triplicate: **White copy**- for ACT WorkCover Inspector; **Yellow copy**- for an OHS person in the workplace; **Green copy**- for person in control.

ACT WorkCover is collecting the information on this form under the *Occupational Health & Safety Act 1989* (as amended) to determine whether or not prosecution should ensue. The information provided is not usually disclosed to other persons or organisations. However, should the responsible person or the employer be prosecuted the information may be disclosed to the Director of Public Prosecutions.

IMPORTANT INFORMATION ABOUT YOUR RIGHTS

How much time do I have to pay the penalty?

The penalty is payable within 28 days from the date of the notice.

How much time do I have to dispute the liability?

You may dispute liability for the offence within 28 days after the day when the reminder notice is served on you.

My I ask for extension of time?

You may apply to the OHS Commissioner for additional time in which to pay the penalty or dispute liability for the offence. You must write to the Occupational Health and Safety Commissioner, and you must say how much extra time you want. If the Occupational Health and Safety Commissioner decides not to grant you that extra time, you will receive a statement setting out the reasons why.

If you are not granted the extra time you sought, the penalty remains payable within 28 days from the date of the notice, or 7 days after you were told that you would not be given the extra time to pay, whichever is the later.

Will I incur a criminal record?

You will not incur criminal record when the notice is withdrawn before or after the penalty is paid.

Is my liability discharged?

If you paid your penalty within 28 days or within the additional time granted by the OHS Commissioner any liability is discharged.

Can I dispute liability for the offence without going to court?

The *Occupational Health and Safety Act 1989* sets up a way in which you can dispute liability for an offence.

You can either:

- (a) dispute liability for the offence; or
- (b) seek extra time to dispute liability for the offence

within 28 days of the date of the notice.

If you are seeking extra time to dispute liability, you must write to the Occupational Health and Safety Commissioner, and you must say how much extra time you want. If the Occupational Health and Safety Commissioner decides not to grant you that extra time, you will receive a statement setting out the reasons why.

If you dispute liability for the offence, you must write to the Occupational Health and Safety Commissioner, and you must set out the grounds for disputing liability. This submission should be sent to the Occupational Health and Safety Commissioner within:

- (a) 28 days of the date of the infringement notice; or
- (b) if the Occupational Health and Safety Commissioner allows you extra time to dispute liability – that extra time; or
- (c) if the Occupational Health and Safety Commissioner does not allow you extra time to dispute liability – 28 days of the date of the infringement notice, or
- (d) 7 days after you are told about the refusal, whichever is the later.

Can I dispute my liability in the Magistrates Court?

If you wish to dispute your liability you may do so in the Magistrates Court. The Magistrates Court may then convict you of the offence and order to pay a penalty costs and you may be subject to other court orders.

What if I chose not to pay the Infringement Notice within the time allowed?

You may be prosecuted in court for the offence.

How do I apply for additional time to pay the infringement notice penalty or dispute liability for the offence?

You can apply for additional time to pay the penalty within 28 days of the date of the notice. You must write to the Occupational Health and Safety Commissioner, and you must say how much extra time you want. If the Occupational Health and Safety Commissioner decides not to grant you that extra time, you will receive a statement setting out the reasons why.

If you are not granted the extra time you sought, the penalty remains payable within 28 days from the date of the notice, or 7 days after you were told that you would not be given the extra time to pay, whichever is the later.

How do I pay the Infringement Notice?

You may pay your Infringement Notice/Reminder Notice by cheque, money order or by cash at the front counter of ACT WorkCover, Level 4, 197 London Circuit, Canberra City, ACT 2601. Please do not send cash. You may send your cheque/money order by post at the above address. Please make your cheque/money order payable to ACT WorkCover.

Any communications in relation to this infringement notice should be addressed to:

The Occupational Health and Safety Commissioner

ACT WorkCover

Level 4, 197 London Circuit
CANBERRA ACT 2601

Telephone (02) 6205 0200
Facsimile (02) 6205 0797