



New South Wales

Workers Compensation Amendment (Penalty Notice Offences) Regulation 2023

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the following Acts—

- (a) the *Workers Compensation Act 1987*,
- (b) the *Workplace Injury Management and Workers Compensation Act 1998*.

VICTOR DOMINELLO, MP
Minister for Customer Service and Digital Government

Explanatory note

The object of this Regulation is to increase the amounts payable for penalty notices issued for certain offences against workers compensation legislation.

This Regulation is made under the *Workers Compensation Act 1987*, section 280, the general regulation-making power, and the *Workplace Injury Management and Workers Compensation Act 1998*, sections 246 and 248, the general regulation-making power.

Workers Compensation Amendment (Penalty Notice Offences) Regulation 2023

1 Name of Regulation

This Regulation is the *Workers Compensation Amendment (Penalty Notice Offences) Regulation 2023*.

2 Commencement

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

Schedule 1 Amendment of Workers Compensation Regulation 2016

Schedule 5 Penalty notice offences

Omit the Schedule. Insert instead—

Schedule 5 Penalty notice offences

clause 71

Part 1 Provisions of the 1987 Act

Column 1	Column 2
Provision	Penalty \$
Section 43(2A)	200
Section 155(1)	1,250
Section 161(3)	1,100
Section 163(1) and (3)	2,200
Section 163A(2) and (7)	1,100
Section 174(1)–(3) and (8)	1,250
Section 192A(4A)	1,100

Part 2 Provisions of the 1998 Act

Column 1	Column 2
Provision	Penalty \$
Section 59D	1,100
Section 63(5)	1,100
Section 69(1)	1,100
Section 74A(3)	1,100
Section 85	1,100
Section 94	1,100
Section 231(3)	220
Section 232(2)(a)	440
Section 256(5)	1,100
Section 264(1)–(3)	1,100
Section 267(5)	1,100
Section 268	1,100
Section 283(1)	1,100
Section 285	1,100
Section 287A(3)	1,100

Column 1	Column 2
Provision	Penalty \$
Section 290(2)	1,100

Part 3 Provisions of this Regulation

Column 1	Column 2
Provision	Penalty \$
Clause 12	For a category 1 employer—440 For a category 2 employer—110
Clause 17	For a category 1 employer—220 For a category 2 employer—50
Clause 36	550
Clause 73	1,100
Clause 141	550