

## ATTACHMENT A

### SSDS Act: Penalties

<b>Penalty (body corp)</b>	<b>Penalty (natural person)</b>	<b>Offence</b>	<b>Section</b>
<b>1 penalty unit =\$100</b>	<b>1 penalty unit =\$100</b>		
1000 units (10 units/day continuing)	(permit holder) 500 units (5/day continuing) <i>or</i> prison term max 12 mths	(any person) Performing restricted activity re SSDS without permit  Directing, causing etc another to perform restricted activity without that person being authorised under the Act.	S. 8
1000 units	250 units or prison term max 12 mths	(any person) Contravention of court order prohibiting person's involvement with SSDS for certain period (following conviction for offence under this Act).	S. 71(3)
500 units (5 units/day continuing)	250 units (2.5/day)	(permit holder) Contravention of permit conditions or causing other person to contravene.	S. 21(4)
500 units	250 units	(permit holder) Lending to/allowing use of permit by another person.	S. 35
500 units (5/day)	250 units (2.5/day)	(permit holder) Failure to comply with Director's directions under part 2, Division 6 (directions to furnish reports; to respond to security threats; to take corrective actions.	S. 48
200 units	100 units or prison term max 3 mths	( <i>any person</i> ) Obstructing, threatening, attempting to intimidate/influence an authorised officer exercising power under this Act.	S. 60
200 units	100 units or prison term max 3 mths	( <i>any person</i> ) Failure to comply without reasonable excuse with direction of auth. officer under s. 53 (search and entry powers– give samples of substance, produce docs, answer questions) or s. 55 (stop/move vehicle, move equipment for inspection, give samples).	S. 61

(Revised August 2005)

N/a	100 units (1 unit/day continuing)	(responsible worker) Contravention of permit conditions.	S. 21(5)
N/a	100 units	(Permit holder) various misconduct relating to production of permits and associated deceptions) e.g. failure to produce permit, intentional deception re authenticity of permit.	S. 36
N/a	100 units	(permit holder) Various misconduct related to failure to notify re loss/theft of SSDS or loss/falsification etc of SSDS records or threat/inducement re SSDS.	S. 50(1)
N/a	100 units	(permit holder) Failure to give Director such particulars as Director requires re notification in s. 47(1).	S. 50(3)
N/a	50 units	(permit holder) Failure to notify Director re stolen, lost etc SSDS permit.	S. 33(1)
N/a	50 units	(permit holder) Failure to return permit within 7 days after expiry, cancellation, issue of new or replacement permit.	S. 34
N/a	50 units	(permit holder) Failure to ensure responsible worker identity card is given to worker asap and is retrieved from worker 14 days after worker ceases to be approved	S. 37(3)
N/a	50 units	(responsible worker) Lending to/allowing use of identity card by other person.	S. 37(5)
N/a	50 units	(permit holder) failure to notify that responsible worker changes name, leaves employment, ceased restricted activity.	S. 40(1)
N/a	50 units	(responsible worker) various misconduct related to production of id cards and associated deceptions (e.g. false representation that person is holder of the id card).	S. 42
N/a	50 units	(permit holder) Failure to follow oral notification in s. 47(1) with written confirmation.	S. 50(4)
N/a	50 units	(person with exemption) Failure to comply with conditions of an exemption to carry out low-scale restricted activities.	S. 78(5)
N/a	50 units	(any person) Giving/omitting info under the Act knowing this is misleading/false.	S. 76
N/a	25 units	(responsible worker)	S. 37(6)

		Failure to carry id card whenever doing an authorised restricted activity.	
N/a	25 units	( <i>responsible worker</i> ) failure to inform permit holder of loss (etc) of id card within period	S. 38(1)
N/a	30 units	( <i>permit holder</i> ) failure to notify director within 7 days of loss etc of responsible workers identity card.	S. 38(2)
N/a	10 units	(any person auth. officer reas. believes has been involved with SSDS or restricted activity) failure to give name, age and address and evidence of correctness of this info without reasonable excuse, if required by authorised officer	S. 57(4)

### SSDS Act: Disciplinary Action

Disciplinary Action	Offence	Section
Cancellation/suspension of permit by Director	If Director reasonably believes contravention of Act/corresponding law; permit conditions contravened; unauthorised persons conducting restricted activity; permit holder gave false/misleading info; permit holder has committed certain offences (etc)	S. 31
Cancellation of permit by court (in addition to other penalty)	If person convicted of offences against this Act/corresponding law, court may order SSDS be cancelled	S. 32
Director may direct permit holder to take specified corrective action (eg revise security plan, conduct training course, stop responsible worker from carrying out restricted activity (in addition to other action that may be taken regarding the contravention/negligence)	If Director reasonably believes that Act/permit conditions have been contravened or negligence re authorised SSDS or restricted activity.	S. 46
Director/authorised officer may enter premises and stop all/part of restricted activity; secure SSDS; take actions pursuant to a direction	If permit holder fails to comply with direction under s42 (to respond to security threat)	S. 49

Court may order person convicted of offence under this Act to pay costs related to investigation of offence	If permit holder is convicted of an offence under this Act	S. 70
Court may order persons convicted of offence under this Act to be prohibited from involvement with SSDS for certain period (in addition to any other penalty).	If permit holder is convicted of offence under this Act	S. 71
Court may order forfeiture of SSDS if person is convicted of offence re SSDS (in addition to any other penalty)	If person is convicted of offence in relation to an SSDS	S. 72