

(Reprint No. 2)

SOUTH AUSTRALIA

STATE DISASTER ACT 1980

This Act is reprinted pursuant to the Acts Republication Act 1967 and incorporates all amendments in force as at 2 February 1995.

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STATE DISASTER ACT 1980

being

State Disaster Act 1980 No. 106 of 1980
[Assented to 18 December 1980]¹

as amended by

State Disaster Act Amendment Act 1985 No. 12 of 1985 [Assented to 14 March 1985]²

State Disaster (Major Emergencies and Recovery) Amendment Act 1994 No. 73 of 1994 [Assented to 1 December 1994]³

¹ Came into operation 23 December 1980: *Gaz.* 23 December 1980, p. 2369.

² Came into operation 21 March 1985: *Gaz.* 21 March 1985, p. 864.

³ Came into operation 2 February 1995: *Gaz.* 2 February 1995, p. 200.

NOTE:

- *Asterisks indicate repeal or deletion of text.*
- *For the legislative history of the Act see Appendix I. Entries appearing in the Appendix in bold type indicate the amendments incorporated since the last reprint.*

An Act to make provision for the protection of life and property in the event of disaster or major emergency and for recovery following the event; and for related purposes.

The Parliament of South Australia enacts as follows:

**PART 1
PRELIMINARY**

Short title

1. This Act may be cited as the *State Disaster Act 1980*.

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Interpretation

4. In this Act, unless the contrary intention appears—

"**authorised officer**" means a person who is an authorised officer pursuant to this Act;

"**disaster**" means any occurrence (including fire, flood, storm, tempest, earthquake, eruption, epidemic of human, animal or plant disease, hostilities directed by an enemy against Australia and accident) that—

- (a) causes, or threatens to cause, loss of life or injury to persons or animals or damage to property; and
- (b) is of such a nature or magnitude that extraordinary measures are required in order to protect human or animal life or property;

"**disaster area**" means the area of the State to which a declaration of a state of disaster under this Act applies;

"**emergency area**" means the area of the State to which a declaration of a state of emergency under this Act applies;

"**major emergency**" means any occurrence (including fire, flood, storm, tempest, earthquake, eruption, epidemic of human, animal or plant disease, hostilities directed by an enemy against Australia and accident)—

- (a) that causes, or threatens to cause, loss of life or injury to persons or animals or damage to property; and
- (b) that whilst not constituting a disaster should, in the opinion of the State Co-ordinator, be dealt with under this Act because of the diverse resources required to be used in response to the emergency, the likelihood of the emergency escalating into a disaster or for any other reason;

"**recovery**" means recovery of the normal pattern of life of individuals, families and communities affected by a disaster or major emergency and includes—

- (a) the restoration of essential facilities and services;

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- (b) the restoration of other facilities and services necessary for the normal functioning of a community;
- (c) the provision of material and personal needs;
- (d) the provision of means of emotional support;

"**recovery operations**" means any measures taken in pursuance of this Act during or following a declared state of disaster or emergency to aid recovery;

"**response operations**" means any measures taken in pursuance of this Act during the continuance of a declared state of disaster or emergency to protect life or property;

"**State Disaster Plan**" means a plan (or a series of plans applying in different parts of the State) prepared by the State Disaster Committee comprising the measures to be taken to monitor and respond to circumstances that may give rise to a disaster or major emergency and the measures (including response and recovery operations) to be taken in the event of a disaster or major emergency;

"**vehicle**" includes an aircraft, or vessel.

Note: For definition of divisional penalties (and divisional expiation fees) see Appendix 2.

Application of Act

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(2) Where the provisions of this Act are inconsistent with any other Act or law, the provisions of this Act prevail.

(3) The powers conferred on any person by, or pursuant to, this Act are in addition to, and do not derogate from, any powers the person may possess under any other Act or law.

(4) This Act does not authorise the taking of measures to bring an industrial dispute to an end or to control civil disorders not being civil disorders resulting from, and occurring during the continuance of, a declared state of disaster or emergency.

PART 2
STATE DISASTER COMMITTEE

State Disaster Committee

6. (1) The *State Disaster Committee* is established.

(2) The Committee consists of the following members:

(a) the State Co-ordinator; and

(b) nine persons appointed by the Governor, of whom—

(i) three are to be appointed on the nomination of the Minister; and

(ia) one is to be appointed on the nomination of the Minister, being selected from a panel of three persons submitted by the Commissioner of Police; and

(ii) one is to be appointed on the nomination of the Minister, being selected from a panel of three persons submitted by the Director of the State Emergency Service; and

(iii) one is to be appointed on the nomination of the Minister, being selected from a panel of three persons submitted by the Chief Officer of the South Australian Metropolitan Fire Service; and

(iv) one is to be appointed on the nomination of the Minister, being selected from a panel of three persons submitted by the Country Fire Service Board; and

(v) one is to be appointed on the nomination of the Minister, being selected from a panel of three persons submitted by the Local Government Association of South Australia; and

(vi) one is to be appointed on the nomination of the Minister responsible for the administration of the *Family and Community Services Act 1972*.

(2a) The Minister may, by notice in writing, request a body referred to in subsection (2) to submit a panel of names for the purposes of this section and, where such a body fails to comply with the request within the time allowed in the notice, the Minister may select a person for appointment as a member of the Committee, and a person so selected may then be appointed to the Committee as if his or her name had been duly submitted by the body to whom the notice was addressed.

(3) A member of the Committee will be appointed for such term, and on such conditions, as the Governor may determine.

(4) The Governor may appoint one member of the Committee to be the presiding member of the Committee and another member to be the deputy presiding member of the Committee.

(5) The Governor may appoint a suitable person to be a deputy of a member, and that person may act as a member of the Committee in the absence of the member of whom or she is a deputy.

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Proceedings of Committee

7. (1) Six members constitute a quorum for a meeting of the Committee.

(2) A decision carried by a majority of the votes cast by the members present at a meeting is a decision of the Committee.

(3) Each member present at a meeting of the Committee has one vote on a matter arising for decision and, if the votes are equal, the member presiding at the meeting may exercise a casting vote.

(4) Subject to this Act, the Committee may determine its own procedures.

Functions of Committee

8. (1) The Committee must—

- (a) prepare a State Disaster Plan;
- (b) advise the Minister on matters affecting the Plan and on methods of combating disasters and major emergencies and of recovery following disasters and major emergencies;
- (c) keep the State Disaster Plan under review and make such amendments to it as from time to time appear necessary or expedient;
- (d) maintain contact with organisations that might usefully participate in response or recovery operations and keep them informed of what would be expected of them in the event of a disaster or major emergency;
- (e) monitor the standard operating procedures of any body or organisation that performs any function under the State Disaster Plan or that might participate in response or recovery operations;
- (f) monitor and evaluate the implementation of the State Disaster Plan and the response and recovery operations taken during or following any declared state of disaster or emergency.

(2) The Committee may, for the purposes of preparing and implementing the State Disaster Plan—

- (a) create such offices as it thinks fit and appoint persons to those offices; and
- (b) assign additional functions to the State Co-ordinator and, with the approval of the State Co-ordinator, assign functions to Divisional Co-ordinators.

Recovery Committee

8A. (1) The State Disaster Committee must appoint a special committee (the Recovery Committee) in accordance with this section.

(2) The Recovery Committee—

- (a) must consist of not less than three persons;
- (b) may include members of the State Disaster Committee or persons who are not members

of that Committee but who have appropriate expertise or experience;

- (c) must include a person appointed to represent the interests of local government in recovery operations.

(3) The State Disaster Committee may appoint a suitable person to be a deputy of a member of the Recovery Committee and a deputy may act as a member in the absence of the member of whom he or she is a deputy.

(4) A member of the Recovery Committee will be appointed for such term and on such conditions as the State Disaster Committee may determine.

(5) The Recovery Committee may, subject to this Act, determine its own procedures.

(6) The Recovery Committee is subject to control and direction by the State Disaster Committee.

Functions of Recovery Committee

8B. The functions of the Recovery Committee are—

- (a) to prepare for consideration by the State Disaster Committee that part of the State Disaster Plan that relates to recovery in the event of a disaster or major emergency;
- (b) to keep that part of the State Disaster Plan under review and recommend to the State Disaster Committee such amendments to it as from time to time appear necessary or expedient;
- (c) to advise the State Disaster Committee on matters relating to recovery in the event of a disaster or major emergency;
- (d) to oversee and evaluate recovery operations during and following a declared state of disaster or emergency;
- (e) to carry out such other functions as are assigned to it by the State Disaster Committee.

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**PART 3
ADMINISTRATION**

State Co-ordinator and Deputy State Co-ordinator

9. (1) The Commissioner of Police is the State Co-ordinator for the purposes of this Act.

(2) The Governor may appoint a person to be Deputy State Co-ordinator and the person so appointed may, if the State Co-ordinator is unable to carry out official duties, exercise all the powers of the State Co-ordinator.

Divisional Co-ordinators

9A. (1) The State Co-ordinator may appoint Divisional Co-ordinators to exercise functions and powers under this Act in relation to specified parts of the State.

(2) A Divisional Co-ordinator will be appointed for such term and on such conditions as the State Co-ordinator may determine.

(3) A Divisional Co-ordinator has the functions and powers delegated to the Co-ordinator by the State Co-ordinator or assigned to the Co-ordinator by the State Disaster Committee with the approval of the State Co-ordinator.

Delegation

10. (1) The State Co-ordinator may delegate to a Divisional Co-ordinator or to any other person any of his or her powers or functions under this Act.

(2) Any such delegation is revocable at will and does not prevent the State Co-ordinator from acting personally in any matter.

Authorised officers

11. (1) The State Co-ordinator may appoint, individually or by class, such persons to be authorised officers for the purposes of this Act as the State Co-ordinator thinks fit.

(2) An authorised officer, other than a member of the police force, must be issued with an identity card in a form approved by the State Co-ordinator—

- (a) containing the person's name and a photograph of the person; and
- (b) stating that the person is an authorised officer for the purposes of this Act.

(3) An authorised officer must, at the request of a person in relation to whom the authorised officer intends to exercise any powers under this Act, produce for the inspection of the person—

- (a) in the case of an authorised officer who is a member of the police force and is not in uniform—his or her certificate of authority;
- (b) in the case of an authorised officer who is not a member of the police force—his or her identity card.

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(4) An authorised officer must, on ceasing to be an authorised officer for any reason, surrender his or her identity card and any insignia or special apparel or equipment issued to the authorised officer for the purposes of this Act to the State Co-ordinator or a person nominated by the State Co-ordinator.

Penalty: Division 8 fine.

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**PART 4
RESPONSE AND RECOVERY OPERATIONS**

Interim declaration of state of disaster by Minister

12. (1) If it appears to the Minister that a disaster has occurred, is occurring, or is about to occur, the Minister may declare that a state of disaster exists in respect of so much of the State as is in his or her opinion affected, or likely to be affected, by the disaster.

(2) A declaration under this section—

- (a) must be made in writing and published in a manner and form determined by the Minister; and
- (b) remains in force for twelve hours; and
- (c) cannot be renewed or extended.

Declaration of state of disaster by Governor

13. (1) If it appears to the Governor that a disaster has occurred, is occurring, or is about to occur, the Governor may (whether or not there has been any previous declaration by the Minister) declare that a state of disaster exists in respect of so much of the State as is in his or her opinion affected, or likely to be affected, by the disaster.

(2) A declaration under this section—

- (a) must be made in writing and published in a manner and form determined by the Minister; and
- (b) subject to this section, remains in force for 96 hours.

(3) A declaration under this section may be renewed or extended on the authority of a resolution of both Houses of Parliament, but in the absence of such an authority, cannot be renewed or extended.

(4) The Governor may, at any time, revoke a declaration under this section.

Declaration of state of emergency by State Co-ordinator

13A. (1) If it appears to the State Co-ordinator that a major emergency has occurred, is occurring, or is about to occur, the State Co-ordinator may declare that a state of emergency exists in respect of so much of the State as is, in his or her opinion, affected, or likely to be affected, by the emergency.

(2) A declaration under this section—

- (a) must be in writing and published in a manner and form determined by the Minister; and
- (b) remains in force for 48 hours; and
- (c) may, with the approval of the Governor, be renewed or extended.

Powers of Minister on declaration of state of disaster or emergency

14. (1) On a declaration of a state of disaster or emergency the Minister may authorise the expenditure of such sums of money as are approved by the Governor to relieve distress and assist in response or recovery operations.

(2) This section is, without further appropriation, sufficient authority for the payment of money in pursuance of an authorisation given under subsection (1) out of the Consolidated Account.

Powers of State Co-ordinator and authorised officers during state of disaster or emergency

15. (1) On the declaration of a state of disaster or emergency and while that declaration remains in force the State Co-ordinator must take any necessary action to carry the State Disaster Plan into effect and cause such response and recovery operations to be carried out as he or she thinks appropriate.

(2) Without limiting the generality of subsection (1), but subject to the regulations, the State Co-ordinator or an authorised officer may, if of the opinion that it is necessary to do so, do or cause to be done all or any of the following things:

- (a) by notice in writing in a form approved by the State Co-ordinator, require the owner, or a person for the time being in charge, of any real or personal property in a disaster or emergency area to place it under the control or at the disposition of a person nominated by the State Co-ordinator or the authorised officer;
- (b) direct the evacuation and removal of persons or animals from a disaster or emergency area, or part of a disaster or emergency area, and remove to such place as he or she thinks fit any person or animal found within such an area;
- (c) enter and, if necessary, break into any land, building, structure or vehicle within the disaster or emergency area;
- (d) take possession of any land, body of water, building, structure, vehicle or other thing within the disaster or emergency area;
- (e) remove, demolish or destroy any building, structure, vehicle, animal or vegetation within the disaster or emergency area;
- (f) shut off, or cut off, any supply of fuel, gas, electricity or water, or any drainage facility, within the disaster or emergency area;
- (g) direct or prohibit the movement of persons, animals or vehicles into or within the disaster or emergency area;
- (h) remove to such place as he or she thinks proper any person who obstructs or threatens to obstruct response or recovery operations;
- (i) give directions to any person whose responsibilities require him or her to engage in response or recovery operations, or who is so engaged.

(3) An authorised officer may direct a person who the authorised officer reasonably suspects has committed, is committing or is about to commit, an offence against this Act to state the person's full name and usual place of residence and to produce evidence of the person's identity.

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(4) A person is entitled to be compensated for any injury, loss or damage suffered by the person—

- (a) that arises in consequence of the exercise of powers under this section (apart from subsection (2)(h)); and
- (b) that would not have arisen in any event in consequence of the disaster or major emergency.

(5) In assessing compensation under subsection (4) a court must take into account—

- (a) any amount recovered or recoverable by the person suffering the injury, loss or damage under a policy of insurance; and
- (b) the extent (if at all) to which the conduct of the person suffering the injury, loss or damage contributed to that injury, loss or damage.

Recovery operations following state of disaster or emergency

15A. (1) Following the expiry or revocation of a declaration of a state of disaster or emergency, the State Co-ordinator may direct authorised officers to take specified action for the purposes of carrying out recovery operations in accordance with the State Disaster Plan.

(2) An authorised officer may be assisted by volunteers in carrying out recovery operations under this section and may give such directions to a volunteer as the officer thinks necessary for that purpose.

(3) A recovery operation under this section cannot be carried out on private land without the consent of the owner of that land.

Offences

16. (1) A person must not without lawful excuse refuse or fail to comply with any lawful direction of the State Co-ordinator or of an authorised officer given, during the continuance of a declared state of disaster or emergency.

Penalty: Division 5 fine.

(2) A person must not obstruct or interfere with any response or recovery operations carried out in pursuance of this Act.

Penalty: Division 5 fine.

(3) A person must not falsely represent that he or she is an authorised officer.

Penalty: Division 6 fine.

(4) A person must not, without lawful authority—

- (a) wear any insignia or special apparel issued to an authorised officer for the purposes of this Act; or
- (b) use any special equipment issued to an authorised officer for the purposes of this Act,

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in circumstances where to do so would lead to a reasonable belief that he or she was an authorised officer.

Penalty: Division 6 fine.

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**PART 5
MISCELLANEOUS**

Immunity from liability of persons acting under this Act

17. (1) A person does not incur any civil liability for an honest act or omission in the exercise or discharge of powers or functions under this Act.

(2) A liability that would, but for subsection (1), lie against a person lies instead against the Crown.

Protection of employment rights

18. (1) A person who is absent from employment on official duties in connection with response or recovery operations is not liable to be dismissed or prejudiced in employment by reason of that absence, and the person's actual and accruing rights in respect of employment must be determined as if the person had not been absent from employment.

(2) Where an employer has paid to an employee wages or salary due under this section, in respect of a period during which the employee has been absent from employment, the employer is entitled to re-imbursment of the amount so paid.

(3) Any amount to which an employer is entitled under subsection (2) will, on application to the Minister, be paid to the employer by the Minister.

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Evidentiary provision

20. In any proceedings, a document purporting to be signed by the Minister and certifying—

- (a) that a declaration of a state of disaster or emergency was in force either in respect of the whole State or a specified part of the State on a specified day or during a specified period; or
- (b) that a person named or referred to in the document was, on a specified date, an authorised officer, or a person who was taking part in response operations or recovery operations under the direction of an authorised officer,

is, in the absence of proof to the contrary, proof of the fact so certified.

Summary proceedings

21. * * * * *

(2) Proceedings for an offence against this Act cannot be commenced without the authorisation of the Attorney-General.

(3) An apparently genuine document purporting to be under the hand of the Attorney-General and to authorise the commencement of proceedings for an offence against this Act is, in the absence of proof to the contrary, proof of that authorisation.

Offences by bodies corporate

22. Where a body corporate is guilty of an offence against this Act, any director or manager of the body corporate is also guilty of an offence and liable to the same penalty as is prescribed for the principal offence unless it is proved that he or she could not, by the exercise of reasonable diligence, have prevented the commission of the principal offence by the body corporate.

State Disaster Relief Fund

22A. (1) The *State Disaster Relief Fund* is established.

(2) Any money received by the Minister for the relief of persons who suffer injury, loss or damage as a result of a disaster or major emergency in respect of which a declaration under this Act is made must be paid into the fund.

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(4) The Minister may appoint a committee of persons to administer the fund.

(5) A committee appointed for the purposes of this section will administer the fund subject to the directions of the Governor.

(6) Subject to this section, no money received by the fund in respect of a particular disaster or major emergency may be disbursed otherwise than to, or for the purpose of the relief of, persons who suffered injury, loss or damage as a result of that disaster or major emergency.

(7) Where the committee is satisfied that it has made sufficient payment to all persons who suffered injury, loss or damage as a result of a particular disaster or major emergency, the committee may, with the approval of the Governor, leave the balance of the money in the fund for the relief of persons who suffer injury, loss or damage in some future disaster or major emergency.

(8) Where the committee is of the opinion that a person who suffered injury, loss or damage as a result of a disaster or major emergency has been overcompensated for that injury, loss or damage by reason of being paid—

- (a) money from the fund; and
- (b) damages or compensation from another source,

the committee may, by notice in writing given personally or by post to the person, require the person to pay to the fund the amount of the overcompensation as determined by the committee and specified in the notice.

(9) A person who is given a notice under subsection (8) is liable to pay to the fund, as a debt due to the Crown, the amount specified in the notice within the time specified in the notice (being a period of not less than one month from the day on which the notice is given).

(10) Money paid to the fund pursuant to subsection (9) may be disbursed for the relief of persons who suffered injury, loss or damage as a result of the disaster or major emergency in respect of which the money was first paid, or of any future disaster or major emergency.

(11) No money in the fund may be used to defray the administrative costs of administering the fund.

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Money required for purposes of this Act

23. The money required for the purposes of this Act will be paid out of money provided by Parliament for those purposes.

Regulations

24. (1) The Governor may make such regulations as are contemplated by this Act or as are necessary or expedient for the purposes of this Act, or as are necessary in consequence of conditions directly or indirectly caused by a disaster or major emergency.

(2) Without limiting the generality of subsection (1), those regulations may—

- (a) apply generally or to a particular case or class of case; and
- (b) apply throughout the State or within a particular part of the State; and
- (c) prescribe penalties, not exceeding a Division 6 fine, for breach of or non-compliance with, a regulation.

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APPENDIX 1

LEGISLATIVE HISTORY

(entries in bold type indicate amendments incorporated since the last reprint)

Long title:	substituted by 73, 1994, s. 3
Section 2:	repealed by 73, 1994, Sched. 1
Section 3:	amended by 12, 1985, s. 3; repealed by 73, 1994, Sched. 1
Section 4:	definition of "authorised officer" amended by 73, 1994, Sched. 1 definition of "counter-disaster operations" repealed by 73, 1994, s. 4(a) definition of "disaster" amended by 12, 1985, s. 4(a) - (c); 73, 1994, s. 4(b) definition of "disaster area" amended by 12, 1985, s. 4(d), (e); 73, 1994, s. 4(c) definition of "Minister" repealed by 12, 1985, s. 4(f) definitions of "post-disaster operations" and "post-disaster period" inserted by 12, 1985, s. 4(f); repealed by 73, 1994, s. 4(d) definitions of "emergency area", "major emergency", "recovery", "recovery operations" and "response operations" inserted by 73, 1994, s. 4(d) definition of "the State Co-ordinator" repealed by 73, 1994, s. 4(e) definition of "the State Disaster Plan" repealed and definition of "State Disaster Plan" inserted in its place by 73, 1994, s. 4(e)
Section 5(1):	repealed by 73, 1994, Sched. 1
Section 5(2) and (3):	amended by 73, 1994, Sched. 1
Section 5(4):	amended by 73, 1994, s. 5
Part 2 heading:	amended by 73, 1994, Sched. 1
Section 6(1):	substituted by 73, 1994, Sched. 1
Section 6(2):	amended by 12, 1985, s. 5(a); 73, 1994, s. 6, Sched. 1
Section 6(2a):	inserted by 12, 1985, s. 5(b); amended by 73, 1994, Sched. 1
Section 6(3) - (5):	amended by 73, 1994, Sched. 1
Section 7:	substituted by 73, 1994, s. 7
Section 8:	amended and redesignated as s. 8(1) by 12, 1985, s. 6; amended by 73, 1994, s. 8(a)-(d), Sched. 1
Section 8(2):	inserted by 12, 1985, s. 6(b); substituted by 73, 1994, s. 8(e)
Sections 8A and 8B:	inserted by 73, 1994, s. 9
Section 9(1) and (2):	amended by 73, 1994, Sched. 1
Section 9A:	inserted by 73, 1994, s. 10
Section 10(1):	amended by 73, 1994, s. 11, Sched. 1
Section 10(2):	amended by 73, 1994, Sched. 1
Section 11:	substituted by 73, 1994, s. 12
Part 4 heading:	substituted by 73, 1994, s. 13
Section 12(1) and (2):	amended by 73, 1994, Sched. 1
Section 13(1):	amended by 73, 1994, Sched. 1
Section 13(2):	amended by 12, 1985, s. 7; 73, 1994, Sched. 1
Section 13(3):	amended by 73, 1994, Sched. 1
Section 13A:	inserted by 73, 1994, s. 14
Section 14(1):	amended by 73, 1994, s. 15, Sched. 1
Section 14(2):	amended by 73, 1994, Sched. 1
Section 15(1):	amended by 12, 1985, s. 8(a); substituted by 73, 1994, s. 16(a)

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- Section 15(2):** substituted by 12, 1985, s. 8(b); **amended by 73, 1994, s. 16(b)-(e), Sched. 1**
- Section 15(3):** repealed by 12, 1985, s. 8(b); **inserted by 73, 1994, s. 16(f)**
- Section 15(4):** **amended by 12, 1985, s. 8(c); 73, 1994, s. 16(g), Sched. 1**
- Section 15(5):** **amended by 73, 1994, Sched. 1**
- Section 15A:** **inserted by 73, 1994, s. 17**
- Section 16(1):** **amended by 73, 1994, s. 18(a), (b), Sched. 1**
- Section 16(2):** **amended by 73, 1994, s. 18(c), (d), Sched. 1**
- Section 16(3) and (4):** **inserted by 73, 1994, s. 18(e)**

Part 4A comprising ss. 16A, 16B and heading inserted by 12, 1985, s. 9; **repealed by 73, 1994, s. 19**

- Section 17(1):** **substituted by 73, 1994, Sched. 1**
- Section 17(2):** **amended by 73, 1994, Sched. 1**
- Section 18(1):** amended by 12, 1985, s. 10; **substituted by 73, 1994, s. 20**
- Section 18(2) and (3):** **amended by 73, 1994, Sched. 1**
- Section 19:** amended by 12, 1985, s. 11; **repealed by 73, 1994, s. 21**
- Section 20:** **amended by 12, 1985, s. 12; 73, 1994, s. 22, Sched. 1**
- Section 21(1):** **repealed by 73, 1994, Sched. 1**
- Section 21(2) and (3):** **amended by 73, 1994, Sched. 1**
- Section 22:** **amended by 73, 1994, Sched. 1**
- Section 22A: inserted by 12, 1985, s. 13
- Section 22A(1):** **substituted by 73, 1994, Sched. 1**
- Section 22A(2):** **amended by 73, 1994, s. 23(a), Sched. 1**
- Section 22A(3):** **repealed by 73, 1994, Sched. 1**
- Section 22A(5):** **amended by 73, 1994, Sched. 1**
- Section 22A(6):** **amended by 73, 1994, s. 23(b), Sched. 1**
- Section 22A(7):** **amended by 73, 1994, s. 23(c), Sched. 1**
- Section 22A(8):** **amended by 73, 1994, s. 23(d), Sched. 1**
- Section 22A(10):** **amended by 73, 1994, s. 23(e), Sched. 1**
- Section 22A(11):** **amended by 73, 1994, Sched. 1**
- Section 23:** **amended by 73, 1994, Sched. 1**
- Section 24(1):** **amended by 73, 1994, s. 24(a)**
- Section 24(2):** **amended by 73, 1994, s. 24(b), Sched. 1**
- Section 24(3): repealed by 12, 1985, s. 14

APPENDIX 2

DIVISIONAL PENALTIES AND EXPIATION FEES

At the date of publication of this reprint divisional penalties and expiation fees are, as provided by section 28A of the *Acts Interpretation Act 1915*, as follows:

Division	Maximum imprisonment	Maximum fine	Expiation fee
1	15 years	\$60 000	—
2	10 years	\$40 000	—
3	7 years	\$30 000	—
4	4 years	\$15 000	—
5	2 years	\$8 000	—
6	1 year	\$4 000	\$300
7	6 months	\$2 000	\$200
8	3 months	\$1 000	\$150
9	-	\$500	\$100
10	-	\$200	\$75
11	-	\$100	\$50
12	-	\$50	\$25

Note: This appendix is provided for convenience of reference only.