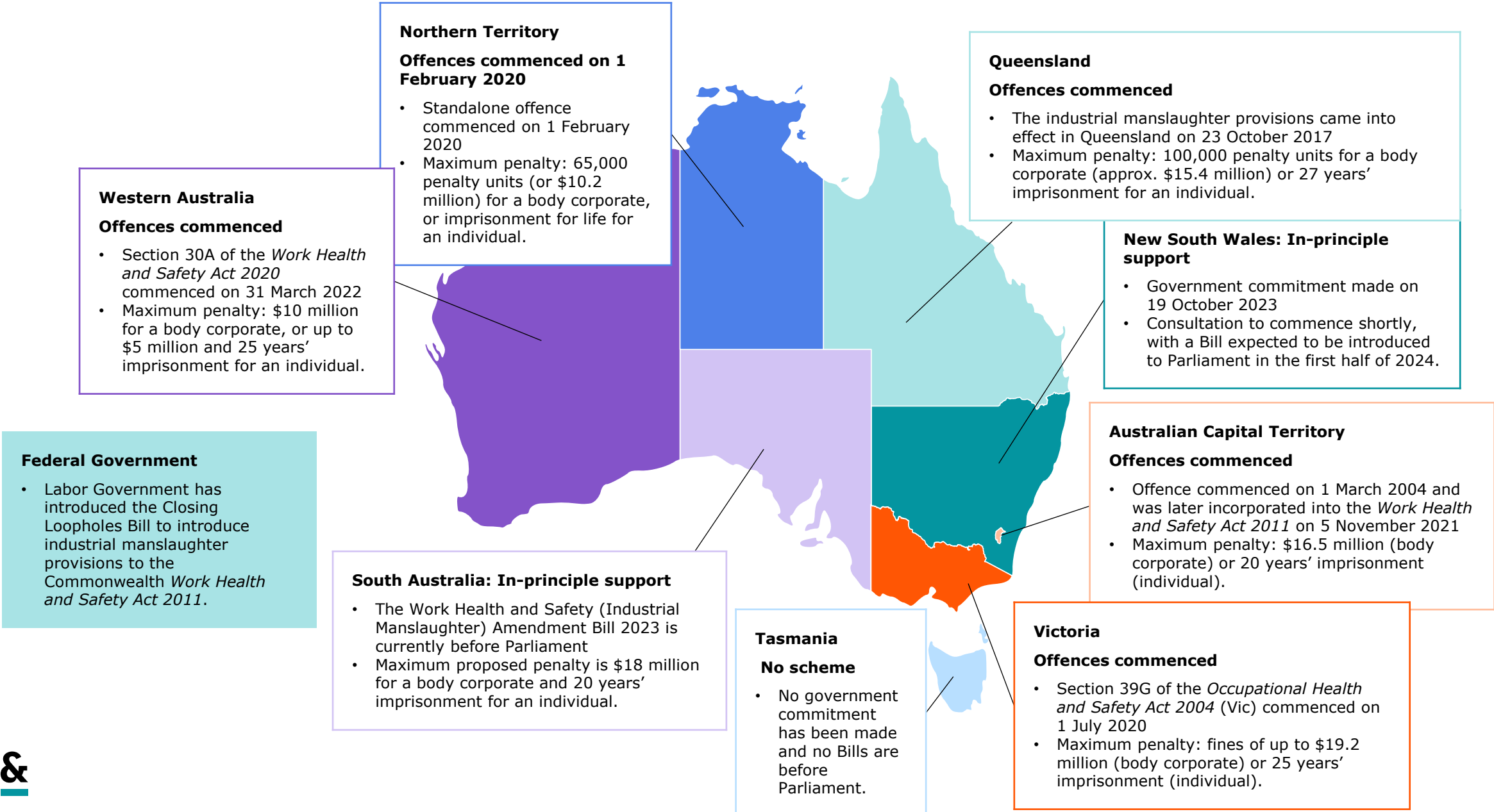


OVERVIEW OF INDUSTRIAL MANSLAUGHTER LAWS AROUND AUSTRALIA



Northern Territory
Offences commenced on 1 February 2020

- Standalone offence commenced on 1 February 2020
- Maximum penalty: 65,000 penalty units (or \$10.2 million) for a body corporate, or imprisonment for life for an individual.

Queensland
Offences commenced

- The industrial manslaughter provisions came into effect in Queensland on 23 October 2017
- Maximum penalty: 100,000 penalty units for a body corporate (approx. \$15.4 million) or 27 years' imprisonment for an individual.

Western Australia
Offences commenced

- Section 30A of the *Work Health and Safety Act 2020* commenced on 31 March 2022
- Maximum penalty: \$10 million for a body corporate, or up to \$5 million and 25 years' imprisonment for an individual.

New South Wales: In-principle support

- Government commitment made on 19 October 2023
- Consultation to commence shortly, with a Bill expected to be introduced to Parliament in the first half of 2024.

Federal Government

- Labor Government has introduced the Closing Loopholes Bill to introduce industrial manslaughter provisions to the Commonwealth *Work Health and Safety Act 2011*.

Australian Capital Territory
Offences commenced

- Offence commenced on 1 March 2004 and was later incorporated into the *Work Health and Safety Act 2011* on 5 November 2021
- Maximum penalty: \$16.5 million (body corporate) or 20 years' imprisonment (individual).

South Australia: In-principle support

- The Work Health and Safety (Industrial Manslaughter) Amendment Bill 2023 is currently before Parliament
- Maximum proposed penalty is \$18 million for a body corporate and 20 years' imprisonment for an individual.

Tasmania
No scheme

- No government commitment has been made and no Bills are before Parliament.

Victoria
Offences commenced

- Section 39G of the *Occupational Health and Safety Act 2004* (Vic) commenced on 1 July 2020
- Maximum penalty: fines of up to \$19.2 million (body corporate) or 25 years' imprisonment (individual).

