

# Procedural Guide

## Queensland Heritage Act 1992

### Penalty Infringement Notices – Offence Codes

This document lists the offence codes that Department of Environment and Heritage Protection (EHP) officers will use when filling out a Penalty Infringement Notice (PIN) in relation to an alleged offence under the Queensland Heritage Act 1992 legislation detailed below. The offence code field is one of the mandatory fields in the PIN. Please refer to the Procedural Guide Manual on PINs for further guidance concerning their issue. **Please ensure you have the most up to date version of this document, and reference to the relevant offence section in the relevant Act is ALWAYS required.**

**ONLY USE THIS DOCUMENT FOR OFFENCES THAT HAVE OCCURRED  
BETWEEN 1 JULY 2016 AND 30 JUNE 2017**

The current value of a penalty unit is \$121.90 for the financial year commencing 1 July 2016. The value of a penalty unit will continue to be indexed and will increase each financial year from the 1 July. The date of an offence determines the value of the penalty unit that must be applied. For offences that occurred prior to 1 July 2016, the penalty unit value is \$117.80. To calculate the penalty value, officers must multiply the penalty units for an offence by the penalty value at the time the offence occurred.

#### Queensland Heritage Act 1992

Code	Section	Offence Description	Penalty	
			Units	\$
<b>Queensland Heritage Act 1992</b>				
HA01	s58(2)	Owner must give the chief executive notice about proposed development – individual	5	609
HA02	s58(2)	Owner must give the chief executive notice about proposed development – corporation	25	3047
HA11	59(2)	Owner must advise the chief executive of the development approval within the relevant period - individual	5	609
HA12	59(2)	Owner must advise the chief executive of the development approval within the relevant period - corporation	25	3047
HA13	59(4)	Owner must advise the chief executive of the application for the development approval - individual	5	609
HA14	59(4)	Owner must advise the chief executive of the application for the development approval - corporation	25	3047
HA03	s76(a)	Failure to comply with conditions of exemption certificate – individual	15	1828
HA04	s76(a)	Failure to comply with conditions of exemption certificate – corporation	75	9142

**Queensland Heritage Act 1992**  
**Penalty Infringement Notices – Offence Codes**

Code	Section	Offence Description	Penalty	
			Units	\$
HA05	s84(6)(a)(i)	Failure of owner to comply with maintenance notice without reasonable excuse – individual	5	609
HA06	S84(6)(a)(ii)	Failure of owner to comply with maintenance notice without reasonable excuse – corporation	75	9142
HA15	89(1)	Fail to give notice about discovery of archaeological artefact - individual	15	1828
HA16	89(1)	Fail to give notice about discovery of archaeological artefact - corporation	75	9142
HA17	90(2)	Interfere with discovery without reasonable excuse or written consent - individual	15	1828
HA18	90(2)	Interfere with discovery without reasonable excuse or written consent - corporation	75	9142
HA19	91	Interfere with shipwreck without reasonable excuse or written consent - individual	15	1828
HA20	91	Interfere with shipwreck without reasonable excuse or written consent - corporation	75	9142
HA07	s104(1)	Offence to destroy protected area – individual	20	2438
HA08	s104(1)	Offence to destroy protected area – corporation	100	12190
HA09	s107(4)	A person must not contravene a condition of a permit – individual	15	1828
HA10	s107(4)	A person must not contravene a condition of a permit - corporation	75	9142
HA21	139(3)	Fail to comply with authorised persons requirement regarding entry to places - individual	5	609
HA22	139(3)	Fail to comply with authorised persons requirement regarding entry to places - corporation	25	3047
HA23	144(1)	Tamper with seized things - individual	5	609
HA24	144(1)	Tamper with seized things - corporation	25	3047
HA25	145(4)	Fail to comply with authorised person's power to seize - individual	5	609
HA26	145(4)	Fail to comply with authorised person's power to seize - corporation	25	3047
HA27	146(2)	Fail to comply with authorised person's request to return the thing to the place from which it was taken - individual	5	609
HA28	146(2)	Fail to comply with authorised person's request to return the thing to the place from which it was taken - corporation	25	3047

**Queensland Heritage Act 1992**  
**Penalty Infringement Notices – Offence Codes**

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Code	Section	Offence Description	Penalty	
			Units	\$
HA29	155	Contravene a stop order - individual	20	2438
HA30	155	Contravene a stop order - corporation	100	12190
HA31	159(1)	Fail to comply with personal details requirement - individual	3	365
HA32	159(1)	Fail to comply with personal details requirement - corporation	10	1219
HA33	166	A person must not make misleading statements - individual	3	365
HA34	166	A person must not make misleading statements - corporation	10	1219

**Disclaimer**

While this document has been prepared with care it contains general information and does not profess to offer legal, professional or commercial advice. The Queensland Government accepts no liability for any external decisions or actions taken on the basis of this document. Persons external to the Department of Environment and Heritage Protection should satisfy themselves independently and by consulting their own professional advisors before embarking on any proposed course of action.