

# Procedural Guide

## Chapter 3 Water Act 2000

### Penalty Infringement Notice – Offence Codes

This document lists the offence codes that officers will use when filling out a Penalty Infringement Notice (PIN) in relation to an alleged offence under chapter 3 of the Water Act 2000. 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 2020 AND 30 JUNE 2021**

The current value of a penalty unit is \$133.45 for the financial year commencing 1 July 2020. 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. To calculate the penalty value, officers must multiply the penalty units for an offence by the penalty value at the time the offence occurred.

**\*Note:** if there is no Ecotrack code listed in this document, officers should use the appropriate code by searching the legislation and section number in Ecotrack.

Code	Section	Offence Description	Penalty	
			Units	\$
<b>Chapter 3 Water Act 2000</b>				
WA01	370(1)	Obligation to give underground water impact report – individual	20	2669
WA02	370(1)	Obligation to give underground water impact report – corporation	100	13345
WA03	372(1)	Obligation to give notice of closure – general – individual	10	1334
WA04	372(1)	Obligation to give notice of closure – general – corporation	50	6672
WA05	373(2)	Obligation to give notice of closure – relevant events – individual	10	1334

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Code	Section	Offence Description	Penalty	
			Units	\$
WA06	373(2)	Obligation to give notice of closure – relevant events – corporation	50	6672
WA07	374(4)	Obligation to give final report – individual	20	2669
WA08	374(4)	Obligation to give final report – corporation	100	13345
WA09	384(4)	Failure to comply with notice to modify underground water impact report or final report – individual	10	1334
WA10	384(4)	Failure to comply with notice to modify underground water impact report or final report – corporation	50	6672
WA11	390(1)	Failure to comply with underground water impact report – individual	20	2669
WA12	390(1)	Failure to comply with underground water impact report – corporation	100	13345
WA13	390(2)	Failure to comply with final report – individual	20	2669
WA14	390(2)	Failure to comply with final report – corporation	100	13345
WA15	392(3)	Failure to comply with notice directing proposed amendment and consult of proposal – individual	10	1334
WA16	392(3)	Failure to comply with notice directing proposed amendment and consult of proposal – corporation	50	6672
WA25	400	Fail to comply with approved baseline assessment plan unless reasonable excuse - individual	10	1334
WA26	400	Fail to comply with approved baseline assessment plan unless reasonable excuse- corporation	50	6672
WA27	402(5)	Fail to comply with direction by chief executive to undertake baseline assessment unless reasonable excuse - individual	10	1334

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Code	Section	Offence Description	Penalty	
			Units	\$
WA28	402(5)	Fail to comply with direction by chief executive to undertake baseline assessment unless reasonable excuse - corporation	50	6672
WA19	405	Failure to provide notice of outcome of baseline assessment – individual	10	1334
WA20	405	Failure to provide notice of outcome of baseline assessment – corporation	50	6672
WA21	417(2)	Obligation to undertake bore assessment of immediately affected area bore in particular circumstances – individual	10	1334
WA22	417(2)	Obligation to undertake bore assessment of immediately affected area bore in particular circumstances – corporation	50	6672
WA29	418(6)	Fail to comply with direction by chief executive to undertake bore assessment unless reasonable excuse - individual	10	1334
WA30	418(6)	Fail to comply with direction by chief executive to undertake bore assessment unless reasonable excuse - corporation	50	6672
WA23	419	Failure to give notice of outcome of bore assessment – individual	10	1334
WA24	419	Failure to give notice of outcome of bore assessment – corporation	50	6672
WA31	449(4)	Fail to comply with direction to carry out water monitoring activities unless reasonable excuse - individual	10	1334
WA32	449(4)	Fail to comply with direction to carry out water monitoring activities unless reasonable excuse - corporation	50	6672
WA33	452	Fail to comply with direction given under section 451 unless reasonable excuse - individual	20	2669
WA34	452	Fail to comply with direction given under section 451 unless reasonable excuse - corporation	100	13345
WA35	454(4)	Fail to comply with directions to petroleum tenure holders and bore owners to provide information unless reasonable excuse - individual	5	667

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Code	Section	Offence Description	Penalty	
			Units	\$
WA36	454(4)	Fail to comply with directions to petroleum tenure holders and bore owners to provide information unless reasonable excuse - individual	25	3336
WA37	370B(3)	Fail to notify the chief executive that tenure holder has exercised underground water rights - individual	10	1334
WA38	370B(3)	Fail to notify the chief executive that tenure holder has exercised underground water rights - corporation	50	6672
WA39	386(1)	Fail to publish report as required by chief executive, make report available and give notice to chief executive as required - Individual	3	400
WA40	386(1)	Fail to publish report as required by chief executive, make report available and give notice to chief executive as required – Corporation	10	1334
WA41	393(6)	Fail to publish amended report in way required by the chief executive - Individual	3	400
WA42	393(6)	Fail to publish amended report in way required by the chief executive - Corporation	10	1334
WA43	396(1)	Fail to comply with the minimum requirements of the baseline assessment guideline - individual	3	400
WA44	396(1)	Fail to comply with the minimum requirements of the baseline assessment guideline - corporation	10	1334
WA45	397(2)	Mining tenure holder fail to give baseline assessment plan to give executive in required timeframe - Individual	10	1334
WA46	397(2)	Mining tenure holder fail to give baseline assessment plan to give executive in required timeframe - Corporation	50	6672
WA47	397(3)	Petroleum tenure holder fail to give baseline assessment plan to give executive in required timeframe - Individual	10	1334
WA48	397(3)	Petroleum tenure holder fail to give baseline assessment plan to give executive in required timeframe - Corporation	50	6672
WA49	399(1A)	Fail to submit amended plan to chief executive within stated period - individual	3	400

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Code	Section	Offence Description	Penalty	
			Units	\$
WA50	399(1A)	Fail to submit amended plan to chief executive within stated period - corporation	10	1334
WA51	401(2)	Failure to apply to the CE for an amendment of baseline assessment plan if material change occurs to affect section 398 - individual	3	400
WA52	401(2)	Failure to apply to the CE for an amendment of baseline assessment plan if material change occurs to affect section 398 - corporation	10	1334
WA53	401(2A)	Failure to apply to the CE for an amendment of baseline assessment plan if material change occurs to plan involving excluded area - individual	3	400
WA54	401(2A)	Failure to apply to the CE for an amendment of baseline assessment plan if material change occurs to plan involving excluded area - corporation	10	1334
WA55	414(1)	Fail to comply with minimum requirements of the bore assessment guideline - Individual	3	400
WA56	414(1)	Fail to comply with the minimum requirements of the bore assessment guideline - Corporation	10	1334

**Template version history**

Version	Date	Version details
1.00	1 July 2020	Initial upload.

**Disclaimer**

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