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| 2023-2024 fines and penalties for the Child Wellbeing and Safety Act 2005 |
| OFFICIAL |

This document is an annually updated publication of the indexation of fines and charges for the reference of the general public.

This document only details the penalties that apply for Parts of the Child Wellbeing and Safety Act 2005 that the Minister for Health shares administrative duties.

* Parts 4, 5, 6A, 7A and 8 (jointly and severally administered with the Minister for Child Protection and Family Services, the Minister for Early Childhood and the Minister for Education)
* Sections 43 and 45 (these sections are jointly and severally administered with the Minister for Early Childhood and the Minister for Education)

# Child Wellbeing and Safety Act 2005

| Child Wellbeing and Safety Act 2005, Section | Description | 2022-2023 Penalty amount  (Natural person) | 2023-2024 Penalty amount  (Natural person) | 2022-2023 Penalty amount  (Body corporate) | 2023-2024 Penalty amount  (Body corporate) |
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| 41ZK(1) Unauthorised use and disclosure of confidential information collected under this Part | A person must not use or disclose confidential information disclosed to the person under this Part except in accordance with this Part.  Penalty: In the case of a person other than a body corporate, 60 penalty units; In the case of a body corporate, 300 penalty units. | $11,095 | $11,539 | $55,476 | $57,693 |
| 41ZL(1) Intentional or reckless unauthorised use and disclosure of confidential information | A person must not use or disclose confidential information disclosed to the person under this Part in a manner that is unauthorised under this Part and that the person— (a) knows is unauthorised under this Part; or (b) is reckless as to whether the use or disclosure of the information is unauthorised under this Part.  Penalty: In the case of a person other than a body corporate, 600 penalty units or imprisonment for 5 years or both; In the case of a body corporate, 3000 penalty units. | $110,952 | $115,386 | $554,760 | $576,930 |
| 41ZM(1) False claim that person is or represents an information sharing entity or a restricted information sharing entity | A person who is not an information sharing entity or a restricted information sharing entity must not, in any way, claim or hold themselves out to be an information sharing entity or a restricted information sharing entity.  Penalty: In the case of a person other than a body corporate, 60 penalty units; In the case of a body corporate, 300 penalty units. | $11,095 | $11,539 | $55,476 | $57,693 |
| 41ZM(2) False claim that person is or represents an information sharing entity or a restricted information sharing entity | A person who is not authorised by an information sharing entity or a restricted information sharing entity to collect confidential information under this Part on behalf of the information sharing entity or restricted information sharing entity must not, in any way, claim or hold themselves out to be authorised to collect such information on the information sharing entity or restricted information sharing entity's behalf.  Penalty: In the case of a person other than a body corporate, 60 penalty units; In the case of a body corporate, 300 penalty units. | $11,095 | $11,539 | $55,476 | $57,693 |
| 46T(1) Unauthorised access to the Register | A person must not access the Register unless the person is— (a) a Child Link user; or (b) a person who is otherwise authorised to access the Register under this Part.  Penalty: In the case of a natural person, 60 penalty units; In the case of a body corporate, 300 penalty units. | $11,095 | $11,539 | $55,476 | $57,693 |
| 46U(1) Access to the Register for unauthorised purpose | An authorised person must not access the Register other than in accordance with this Part.  Penalty: In the case of a natural person, 60 penalty units; In the case of a body corporate, 300 penalty units. | $11,095 | $11,539 | $55,476 | $57,693 |
| 46V(1) Unauthorised use and disclosure of confidential information contained in the Register | An authorised person must not use or disclose confidential information contained in the Register other than in accordance with this Part.  Penalty: In the case of a natural person, 60 penalty units; In the case of a body corporate, 300 penalty units. | $11,095 | $11,539 | $55,476 | $57,693 |
| 46W(1) Intentional or reckless unauthorised use and disclosure of confidential information contained in the Register | An authorised person must not use or disclose confidential information contained in the Register in a manner that is unauthorised under this Part and that the person— (a) knows is unauthorised under this Part; or (b) is reckless as to whether the use or disclosure of the information is authorised under this Part.  Penalty: In the case of a natural person, 600 penalty units or imprisonment for 5 years or both; In the case of a body corporate, 3000 penalty units. | $110,952 | $115,386 | $554,760 | $576,930 |

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