

# Energy and Land Legislation Amendment (Energy Safety) Bill 2025

## Increased and new penalties for contraventions of Gas Safety Act 1997

### Increased penalties – commenced on 21 May 2025

The following table outlines the maximum penalty units for contraventions. The value of a penalty unit is set annually by the Victorian Treasurer and is updated on 1 July each year. For the financial year 2024-25 the value of one penalty unit is \$197.59.

| Section | Description   | Previous penalties              |                | New penalties  |                |
|---------|---|---------------------------------|----------------|----------------|----------------|
|         |   | Offence penalties (prosecution) |                |                |                |
|         |   | Natural person                  | Body Corporate | Natural person | Body Corporate |
| 66      | <b>Offence to carry out upstream gas work without approval or authorisation</b><br>A person must not carry out upstream gas work in relation to any facility unless the person is approved under section 65 to carry out that work or is authorised under an accepted safety case to carry out that work.   | 50                              | 250            | 240            | 1200           |
| 70(1)   | <b>Offence to install certain Type A appliances</b><br>A person must not knowingly install a Type A appliance unless the appliance has:<br>(a) been accepted under an acceptance scheme authorised under Part 3, Division 5 of the Act or accepted by Energy Safe Victoria under Part 3, Division 5 of the Act; and<br>(b) an Energy Safe Victoria approved label affixed to it.      | 40                              | 200            | 200            | 1000           |
| 70(3)   | <b>Offence to commission certain non-accepted Type A appliances</b><br>A person must not commission for use a Type A appliance that is installed in accordance with subsection 70(2) unless the appliance has been accepted—<br>(a) under an acceptance scheme authorised under Part 3, Division 5 of the Act; or<br>(b) by Energy Safe Victoria under Part 3, Division 5 of the Act. | 40                              | 200            | 200            | 1000           |
| 71A(1)  | <b>Offence to sell unsafe appliances</b><br>A person must not knowingly, recklessly or negligently supply or offer to supply or sell or offer to sell an appliance that is unsafe.  | 40                              | 200            | 240            | 1200           |

| Section | Description   | Previous penalties              |                | New penalties  |                |
|---------|---|---------------------------------|----------------|----------------|----------------|
|         |   | Offence penalties (prosecution) |                |                |                |
|         |   | Natural person                  | Body Corporate | Natural person | Body Corporate |
| 71B     | <p><b>Offence to falsely label Type A appliances</b></p> <p>A person must not, in connection with the supply or possible supply or sale of a Type A appliance, affix or cause to be affixed a label or compliance plate to the appliance that falsely represents that the appliance has been, and continues to be:</p> <p>(a) accepted under an acceptance scheme authorised under Part 3, Division 5 of the Act; or</p> <p>(b) accepted by Energy Safe Victoria under this Division Part 3, Division 5 of the Act.</p> | 40                              | 200            | 60             | 300            |
| 71C(1)  | <p><b>Offence to make unsafe modifications to Type A appliances</b></p> <p>A person must not knowingly, recklessly or negligently make a modification to a Type A appliance that would make the appliance unsafe to use if the appliance were used for its intended purpose.</p>  | 40                              | 200            | 240            | 1200           |
| 72(6)   | <p><b>Compliance with prescribed standards and requirements for work on gas installation</b></p> <p>A person to whom an exemption applies must comply with any conditions specified in the exemption.</p>   | 40                              | 200            | 240            | 1200           |
| 73(1)   | <p><b>Application for acceptance of gas installation before commissioning</b></p> <p>A person who carries out work on a complex gas installation or on a standard gas installation of a prescribed class must apply to Energy Safe Victoria for acceptance of the gas installation before the gas installation is commissioned.</p>   | 40                              | 200            | 240            | 1200           |
| 74      | <p><b>Offence to use Type B appliance</b></p> <p>Except in prescribed circumstances, a person must not use a Type B appliance unless the gas installation of which that appliance forms part:</p> <p>(a) has been accepted by Energy Safe Victoria in accordance with Part 3, Division 5 of the Act; or</p> <p>(b) has been installed in accordance with an accepted safety case.</p>   | 40                              | 200            | 100            | 500            |

| Section | Description  | Previous penalties              |                | New penalties  |                |
|---------|--|---------------------------------|----------------|----------------|----------------|
|         |  | Offence penalties (prosecution) |                |                |                |
|         |  | Natural person                  | Body Corporate | Natural person | Body Corporate |
| 75      | <b>Offence to supply or sell certain appliances without giving required information</b><br>Except in the prescribed circumstances, a person must not use a Type B appliance unless the gas installation of which that appliance forms part:<br>(a) has been accepted by Energy Safe Victoria in accordance with this Part 3, Division 2; or<br>(b) has been installed in accordance with an accepted safety case.  | 40                              | 200            | 120            | 600            |
| 77(1)   | <b>Offence to disobey prohibition under section 76(1)</b><br>A person must not, while a prohibition under section 76(1) remains in force, do anything prohibited by that prohibition.  | 200                             | 1000           | 240            | 1200           |
| 77(2)   | <b>Offence to disobey prohibition under section 76(3)</b><br>A person must not, while a prohibition under section 76(3) remains in force, do anything prohibited by that prohibition.  | 200 and/or 2 years imprisonment | 1000           | 240            | 1200           |
| 79A(1)  | <b>Offence to supply or sale of certain types of liquefied petroleum gas</b><br>A person, other than a gas company, must not knowingly supply or offer to supply or sell or offer to sell any type of liquefied petroleum gas for use in an appliance unless:<br>(a) that gas meets the prescribed standards of quality;<br>(b) the appliance is designed to be operated on that type of gas; and<br>(c) the person complies with the prescribed requirements in relation to the supply or sale of that gas. | 40                              | 200            | 200            | 1000           |
| 79D(1)  | <b>Interference with pipeline, gas installation or meter assembly</b><br>A person must not knowingly, recklessly or negligently break, injure, open or tamper with any pipeline, gas installation or meter assembly.   | 40                              | 200            | 60             | 300            |

| Section | Description  | Previous penalties              |                | New penalties  |                |
|---------|--|---------------------------------|----------------|----------------|----------------|
|         |  | Offence penalties (prosecution) |                |                |                |
|         |  | Natural person                  | Body Corporate | Natural person | Body Corporate |
| 79DA(1) | <b>Safety of gas installations – carrying out building work</b><br>A person must not carry out building work at a premises which the person knows or should reasonably be expected to know will make:<br>(a) a gas installation at the premises unsafe; or<br>(b) a building at the premises unsafe if that premises is supplied with gas. | 40                              | 200            | 240            | 1200           |
| 79F     | <b>Proclaimed gas equipment not to be supplied unless registered and labelled</b><br>A person must not, after the date specified in the Order, supply or offer to supply proclaimed gas equipment unless the equipment is registered and labelled in accordance with the regulations relating to energy efficiency.                        | 50                              |                | 200            | 1000           |
| 111(1)  | <b>Offence not to comply with improvement notice</b><br>A person to whom an improvement notice is issued must comply with the improvement notice   | 80                              | 400            | 240            | 1200           |

## New penalties – to commence on 1 April 2026

The following table outlines the maximum penalty units for contraventions. The value of a penalty unit is set annually by the Victorian Treasurer and is updated on 1 July each year. For the financial year 2024-25 the value of one penalty unit is \$197.59.

| Section        | Description   | New penalties                   |                |
|----------------|---|---------------------------------|----------------|
|                |   | Offence penalties (prosecution) |                |
|                |   | Natural person                  | Body Corporate |
| <b>103A(2)</b> | <b>Persons assisting authorised officer – Offence to refuse access to land or premises</b><br>The occupier or person in management or control of the land or premises must not, without reasonable excuse, refuse to allow the person assisting an authorised officer access to the land or premises. | 60                              | 300            |
| <b>103A(3)</b> | <b>Persons assisting authorised officer – Offence to obstruct or hinder</b><br>The occupier or person in management or control of the land or premises must not, without reasonable excuse, obstruct or hinder the person assisting an authorised officer.  | 60                              | 300            |