



Offences and penalties

Issue date: 1 July 2009

Water restrictions must be followed and Authorised Water Officers can issue fines to customers who do not comply with water restrictions across Melbourne. If you do not comply with either:

- any prevailing stage of restrictions; or
- Permanent Water Saving Rules,

Yarra Valley Water Limited may either give you an official warning, an on-the-spot fine called a Penalty Infringement Notice (PIN) or seek to prosecute you for an offence. Yarra Valley Water Limited may also restrict your water supply in accordance with section 85(5) of the *Water Industry Act 1994*.

The maximum penalties for individuals as at the issue date above are summarised in the following table. The maximum penalties for breach of Stage 3 (known as Stage 3a) restrictions are outlined below and highlighted in dark blue.

	STAGE 1	STAGE 2	STAGE 3 (known as Stage 3a)	STAGE 4
PIN (fixed amount)	\$234.00	\$351.00	\$468.00	\$585.00
First offence	\$1,755.00	\$2,340.00	\$3,510.00	\$4,680.00 or 3 months' jail
Subsequent offence (maximum)	\$3,510.00	\$4,680.00	\$7,020.00 or 3 months' jail	\$9,360.00 or 6 months' jail
Continuing offence (maximum)	\$585.00 per day up to a total of \$2,340.00	\$585.00 per day up to a total of \$2,340.00	\$585.00 per day up to a total of \$2,340.00	\$585.00 per day up to a total of \$2,340.00

The penalty for a continuing offence is in addition to the penalty for any other offence.

The maximum penalty for a company is five times the penalty for an individual for each penalty other than a PIN outlined above.

The maximum penalties for failing to comply with the Permanent Water Saving Rules, which apply at all times, are:

PIN	\$117.00
First offence	\$1,170.00
Subsequent offence	\$2,340.00
Continuing offence	\$234.00 per day up to a total of \$2,340.00

Instead of, or as well as, prosecuting you for not complying with the prevailing stage of water restrictions, Yarra Valley Water Limited may also prosecute you for taking or using water without Yarra Valley Water Limited's consent under section 289 of the *Water Act 1989*. The maximum penalties for an offence under that section are as follow:

First offence	\$7,020.00 or 6 months' jail
Subsequent offence	\$14,040.00 or 12 months' jail
Continuing offence	\$585.00 per day up to a total of \$2,340.00