

2024-25 FEES AND PENALTIES - SMALL BUSINESS

In accordance with the Monetary Units Act 2004, the value for 2024-25 is:

Fee unit **\$16.33**
 Penalty unit **\$197.59**

The amount of fees are determined by multiplying the number of fee units contained in the legislation by the current value of the fee unit (section 7(1)) and rounded to the nearest 10 cents (section 7(3))

The amount of penalties are determined by multiplying the number of penalty units contained in the legislation by the current value of the penalty unit (section 7(2)) and rounded to the nearest dollar (section 7(4))

Shop Trading Reform Act 1996					
Act/Regulation	Description of fee or charge	Infringement Penalty from 1 July 2024		Maximum Court Penalty from 1 July 2024	
		(\$)	Units	(\$)	Units
5(2)	The occupier of a shop, other than an exempt shop, must not fail to close the shop and keep it closed during ordinary shop closing times.	n/a	n/a	\$19,759	100
5(3)	The occupier of a shop other than an exempt shop, or an employee of that occupier, must not publish a statement or indication that at any time during ordinary shop closing times— (a) the shop will be open for the sale of goods by retail; or (b) a person will be in the shop and will sell goods there and receive orders for goods by any means; or (c) the shop will be open for the inspection of goods in it or the delivery of previously sold or ordered goods.	n/a	n/a	\$19,759	100
6C	An inspector must produce his or her identity card for inspection—(a) before exercising a power under a Court order made under section 6D other than a requirement made by post; and (b) at any time during the exercise of a power under a Court order made under section 6D, if asked to do so.	n/a	n/a	\$1,976	10
6G(1)	An inspector must not, except to the extent necessary to carry out the inspector's functions under this Part, give to any other person, whether directly or indirectly, any information acquired by the inspector in carrying out those functions.	n/a	n/a	\$11,855	60

ANZAC Day Act 1958					
Act/Regulation	Description of fee or charge	Infringement Penalty from 1 July 2024		Maximum Court Penalty from 1 July 2024	
		(\$)	Units	(\$)	Units
5(1)	Despite anything in any other Act or a statutory rule (within the meaning of the Subordinate Legislation Act 1994), a person must not, without a written permit from the Minister, show any film or allow any film to be shown before 1.00 pm on ANZAC Day at a cinema or other place (whether indoors or outdoors) to which persons are admitted—(a) on payment of a fee or charge; or (b) after a donation is sought from them— for the showing of the film or to enter or remain at the cinema or place.	n/a	n/a	\$19,759	100
5(3)	A person who holds a permit under subsection (1) that is subject to specified conditions must comply with each of those conditions.	n/a	n/a	\$19,759	100
5A(1)	Despite anything in any other Act or a statutory rule (within the meaning of the Subordinate Legislation Act 1994), a person must not, without a written permit from the Minister, provide any entertainment or allow any entertainment to be provided before 1.00 pm on ANZAC Day at a place (whether indoors or outdoors)—(a) to which persons are admitted— (i) on payment of a fee or charge; or (ii) after a donation is sought from them— for the provision of the entertainment or to enter or remain at the place; or (b) at which a commercial business is carried on for the supply of goods or services or both.	n/a	n/a	\$19,759	100

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5A(5)	A person who holds a permit under subsection (1) that is subject to specified conditions must comply with each of those conditions.	n/a	n/a	\$19,759	100
5AB(1)	Subject to subsection (2), a person must not conduct a public auction of land or a business before 1 p.m. on ANZAC Day.	n/a	n/a	\$19,759	100
5C(1)	An occupier of a factory or warehouse must ensure—(a) that the factory or warehouse is closed and kept closed on ANZAC Day; and (b) that each employee in that factory or warehouse is given a whole holiday on ANZAC day.	n/a	n/a	\$19,759	100

Retail Leases Act 2003

Act/Regulation	Description of fee or charge	Infringement Penalty from 1 July 2024		Maximum Court Penalty from 1 July 2024	
		(\$)	Units	(\$)	Units
15(1)	A landlord who—(a) offers to enter into a retail premises lease; or (b) advertises by any means that retail premises are for lease— must, as soon as the landlord enters into negotiations with a person about the lease, give to that person a copy of the proposed lease in writing (but the copy need not include particulars of the tenant, the rent or the term of the proposed lease) and a copy of the information brochure (if any) about retail leases published by the Small Business Commission.	n/a	n/a	\$9,880	50
16(1)	A landlord or tenant must not enter into a retail premises lease that is not in writing and signed by all of the parties to it.	n/a	n/a	\$1,976	10
17(1B)	If the proposed lease given to the tenant contains any changes to the previous copy of the lease given to the tenant, the landlord must notify the tenant of the changes when the proposed lease is given to them.	n/a	n/a	\$9,880 or \$49,398	50 or 250
23(1)	A landlord must not seek or accept the payment of—(a) key-money; or (b) any consideration for the goodwill of any business carried on at the retail premises.	n/a	n/a	\$9,880	50
37(4)	The landlord must, within 14 days after a request by the specialist retail valuer, supply the valuer with relevant information about leases for retail premises located in the same building or retail shopping centre to assist the valuer to determine the current market rent.	n/a	n/a	\$9,880	50
38(1)	A specialist retail valuer who is supplied with information by a landlord or tenant for the purpose of determining under section 37 the current market rent for a retail premises lease must not—(a) use or permit the use of the information for any purpose other than to determine the current market rent for the lease concerned; or (b) communicate or divulge that information to any other person or permit that information to be communicated or divulged to any other person.	n/a	n/a	\$9,880	50
61(3)	Before requesting the landlord's consent, the tenant must give the proposed assignee—(a) a copy of any disclosure statement given to the tenant concerning the lease; and (b) details of any changes of which the tenant is aware, or could reasonably be expected to be aware, that have affected the information in the disclosure statement since it was given to the tenant.	n/a	n/a	\$1,976	10
61(5)(b)	For the purpose of complying with subsection (3), the tenant may ask the landlord to give the tenant a disclosure statement that is current from a specified date that is within 3 months before the statement is given and, if the landlord does not give the tenant such a statement within 14 days—(a) the tenant is not required to comply with that subsection; and (b) the landlord is guilty of an offence and liable to a fine not exceeding 10 penalty units.	n/a	n/a	\$1,976	10
67(1)	A landlord under a retail premises lease must not divulge or communicate to any person any information about the turnover of the tenant's business provided by the tenant in accordance with the lease.	n/a	n/a	\$3,952	20
96(2)	(1) This section applies if a person proposes to grant a licence to another person to use all or part of any retail premises wholly or predominantly for the carrying on of a business under a name or mark identifying, commonly associated with or controlled by the tenant or a person or corporation (as defined in section 57A of the Corporations Act) connected with the tenant. (2) The proposed licensor must give the proposed licensee, within 7 days before the grant of the licence—(a) a copy of any disclosure statement given to the tenant concerning the lease; and (b) details of any changes of which the proposed licensor is aware, or could reasonably be expected to be aware, that have affected the information in the disclosure statement since it was given to the tenant.	n/a	n/a	\$1,976	10

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121(2)	If - (a) section 50 of this Act does not apply to a retail premises lease or an assignment of a retail premises lease; and (b) the tenant is liable under the retail premises lease to pay an amount in respect of tax under the Land Tax Act 2005 for which the landlord or head landlord is liable; and (c) the landlord or head landlord receives an assessment of that tax on or after the commencement of this section— within 21 days of receiving the assessment, the landlord or head landlord must give written notice to the tenant of the amount of the assessment.	n/a	n/a	\$1,976	10
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