



Fact Sheet

Penalty Infringement Notices



Water is a precious and limited resource. It is critical to our economy, environment, and communities. This is why water needs to be managed fairly for all water users. Victoria has zero tolerance for water theft which supports equity of access to our limited water resources and protects those who comply with the *Water Act 1989* (the Act).

What is a Penalty Infringement Notice?

Rural water corporations can issue a fine known as a Penalty Infringement Notice (PIN) to water users who have committed a water infringement offence. All infringement notices are governed by the [Infringements Act 2006](#).

Who can be fined?

Water users that can be fined by rural water corporations include customers with an irrigation connection, a stock and domestic connection and/or a Take and Use Licence.

What offences can be fined?

Under the Act and Water (*Infringements*) Regulations 2020, the following water infringement offences can attract fines:

- Taking or using water without a Take and Use Licence from a non-declared system (up to 10 megalitres)
- Wrongful take of water (up to 10 megalitres), interfering with flow of water in any waterway, aquifer or works without any authorisation
- Breaching conditions of a Take and Use Licence
- Breaching conditions of a works licence
- Contravening a restriction or prohibition in a permanent water savings plan

Who has the power to issue a fine?

An Authorised Water Officer (AWO), appointed by the rural water corporation under [Section 291A of the Act](#), has the power to issue a PIN to a water user whom the officer has reason to believe has committed a water infringement offence ([Section 295A of the Act](#)).

How is my use monitored and when are fines issued?

Rural water corporations proactively monitor customer account balances through Victoria's extensive metering and telemetry and can see where even small volumes of water theft occur. This enables swift compliance and enforcement response.

From 2022/23 Melbourne Water will actively use fines as part of our compliance strategies for unauthorised take up to 10ML. You can be fined more than once if you commit multiple offences over a specific period.

Fines can be issued within 12 months after the day on which the water infringement offence occurred.

For water take offences where the amount of water taken exceeds 10 ML, Melbourne Water will use other enforcement tools such as prosecution and/or potentially locking down meters, outlets or pumps until account balances have been brought back into compliance.

How much will I be fined?

Victoria's Water (*Infringement*) Regulations 2020 set gradual penalties, which increase with the amount of water taken and the nature of the offence.

Penalties are up to five times higher for body corporates than individuals. From 1 July 2022 to 30 June 2023, the maximum penalty for an individual is \$2,219 and \$11,095 for a body corporate **per offence**.

What are my options if I receive a fine?

You will receive a PIN via the mail. It will include:

- information about the offence
- the amount owed
- how it can be paid
- the fine due date

You must pay the fine or request a review of the PIN.

Paying the fine

Information on how to pay and to assess eligibility for payment arrangements can be viewed on the [Fines Victoria website](#). If you fail to pay by the specified due date, Fines Victoria will issue reminder notices and additional costs may be applied.

Requesting a review

If you would like to request an internal review, please visit www.fines.vic.gov.au.

Reporting Non-Compliance

If you wish to report an alleged offence or breach of the Water Act 1989, you can contact us: **Melbourne Water**
Phone: **131 722** Email: diversions@melbournewater.com.au

Reports can be received anonymously.

MORE INFORMATION

Melbourne Water have compliance and enforcement strategies for water theft to support their zero-tolerance approach. Specific information can be found on our website www.melbournewater.com.au/watertheft

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For more information about this project or our other activities please call Diversions on 131722 or visit www.melbournewater.com.au/watertheft



For an interpreter, please call the Translating and Interpreting Service (TIS National) on 13 14 50



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ZERO tolerance on water theft

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melbournewater.com.au/watertheft

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Melbourne Water is owned by the Victorian Government. We manage Melbourne's water supply catchments, remove and treat most of Melbourne's sewage, and manage rivers and creeks and major drainage systems throughout the Port Phillip and Westernport region.