

Penalty Summary: Fire and Emergency Services Act 2005 (SA)

All penalties quoted are the maximum for that offence

Fire and Emergency Services Act 2005 (SA)

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
42(4)	failure to comply with requirement of officer of SAMFS	- -	- \$20 000 (natural person) - \$75 000 (body corporate)
70F	failure to comply with an order given by Chief Officer, authorised officer, or Magistrates Court, under Division 6A- Fire and emergency safeguards	-	- \$5 000
79	lighting or maintaining a fire in the open air during fire danger season	- 1 st offence: 1 year imprisonment - 2 nd or subsequent offence: 2 years imprisonment	- 1 st offence: \$5 000 - 2 nd or subsequent offence: \$10000 - expiation fee (if prescribed offence): \$473
80	contravention of total fire ban	- 1 st offence: 2 years imprisonment - 2 nd or subsequent offence: 4 years imprisonment	- 1 st offence: \$10 000 - 2 nd or subsequent offence: \$20 000
82	failure to comply with or contravene a direction under s 82 power to direct	- 1 st offence: 1 year imprisonment - 2 nd or subsequent offence: 2 years imprisonment	- 1 st offence: \$5 000 - 2 nd or subsequent offence: \$10000
86	failure to comply with authorised officer's request to take steps to prevent outbreak of fire from prescribed premises	- -	- \$10 000 (natural person) - \$50 000 (body corporate)
87	failure to remove flammable debris on country road	-	- \$5 000
89	operating engine, vehicle or appliance of prescribed kind in	- -	- 1 st offence: \$5 000

	open air or using flammable material of prescribed kind or carrying out prescribed activity not in accordance with the relevant regulations	-	- 2 nd or subsequent offence: \$10 000 - expiation fee: \$473.00
91	failure to report unattended fire on country land	-	- \$1 250
95	lighting a fire during fire danger season which endangers (or is likely to endanger) the life or property of another	- 2 years imprisonment	- \$10 000
97	failure to comply with direction of SACFS officer at scene of fire or other emergency	- -	- \$20 000 (natural person) - \$75 000 (body corporate)
105F(1)	failure by owner of private land to take reasonable steps to prevent outbreak of fire or minimise threat to human life from fire on land	- -	- \$5 000 - expiation fee: \$473.00
105F(8)	failure by owner of private land to comply with notice requiring measures be taken to reduce fire risk on land	- -	- \$10 000 - expiation fee: \$473.00
105IA	failure to comply or contravene direction by police officer	- 1 st offence: 1 year imprisonment - 2 nd or subsequent offence: 2 years imprisonment	- 1 st offence: \$5 000 - 2 nd or subsequent offence: \$10 000
105K	failure to comply with notice or requirement within period specified by Chief Officer	-	- \$10 000
118	failure to comply with direction of SASES officer at scene of fire or other emergency	- -	- \$20 000 (natural person) - \$75 000 (body corporate)
125(1)	hinder or obstruct member of emergency services organisation	-	- \$10 000
125(2)	failure to comply with direction of member of emergency services organisation	-	- \$5 000
126	impersonating an emergency services officer etc	-	- \$10 000
131	assume name or description of official insignia without consent	-	- \$10 000
133	failing to disclose name and address and provide identification when requested by member of emergency fire services	-	- \$5 000
134	membership of unauthorised country fire brigade	-	- \$1 250

135	interference with fire hydrants, alarms, etc or give false alarm of fire or other emergency	- -	- \$5 000 - expiation fee: \$473.00
136	make false or misleading statement in furnishing information under the Act	-	- \$5 000
142(8)	owner of vessel or property evades payment of costs and expenses owed to relevant authority	-	- \$5 000

Fire and Emergency Services Regulations 2021 (SA)

Regulation	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
reg 19	SACFS member fails to produce/provide accounts, financial records, information of organisation at request of Chief Officer	-	- \$2 000
reg 45	smoking in open air in the country within 2 m of flammable bush or grass (except in municipality or township)	- -	- \$1 250 - expiation fee: \$473.00
reg 45(2)	drop or throw burning object or material from a vehicle	- -	- \$5 000 - expiation fee: \$500.00
reg 45(3)	drop or throw burning object or material in circumstances in which it may come into contact with flammable material and cause a fire in the country	- -	- \$5 000 - expiation fee: \$500.00
Reg 45(4)	drop or throw any material capable of causing a fire in the country	- -	- \$5 000 - expiation fee: \$500.00
Reg 47	use caravan in the country without efficient and compliant fire extinguisher	- -	- \$1 250 - expiation fee: \$473.00
Reg 48	fail to surrender certificate of identity to Chief Officer	-	- \$1 250
Reg 59	fail to produce accounts or other financial records of a SASES unit in member's possession	-	- \$2 000
Reg 62(3)	fail to surrender SASES identity card to Chief Officer	-	- \$1 250

Reg 62(4)	fail to surrender all SASES insignia, equipment or clothing issued to person	-	- \$1 250
Reg 67	use or display prescribed insignia or sell, hire, lend etc prescribed logo without consent to person who is not member, or authorised to act in an official capacity	-	- \$2 500