

Penalty Summary: Summary Offences Act 1953 (SA)

Summary of offences and penalties (as at December 2021)

Part 2 Offences against police

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
6(2)	Hinder/resist police	6 months	\$2,500
6AA	Disclosure of criminal intelligence	2 years	

Part 3 Offences against public order

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
6A	Violent disorder	2 years	\$10,000
7	Disorderly or Offensive conduct/language	3 months	\$1,250
7A	Obstructing or disturbing religious service	2 years	\$10,000
8	Challenges to fight and prize fights	-	\$750
9A	Supply of methylated spirits	-	\$750
9B	Sale of drug paraphernalia		
	1) to an adult		
	- Body corporate	2 years	\$50,000
	- Natural person		\$10,000
	2) to a minor		
	- Body corporate	2 years	\$100,000
	- Natural person		\$20,000

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
10	Consume or supply (Dog or Cat) meat for human consumption	-	\$1,250
11A	Avoiding entrance fee	-	\$750
12	Begging Alms	-	\$250
13	Consorting	2 years	-
16	Possession of instrument for gaming/cheating	6 months	\$2,500
17	Being on Premises for unlawful purpose (a1) A person who has entered, or is on primary production premises <ul style="list-style-type: none"> - Aggravated offence - Non-aggravated offence - If offence committed on premises exceeds 2 years imprisonment (1) If offence committed on other premises exceeds 2 yrs imprisonment <ul style="list-style-type: none"> - Any other case (3) When person fails to comply with order under sub-s (2) to leave premises	12 months 6 months 2 years 2 years 6 months 6 months	\$10,000 \$5,000 \$2,500 \$2,500
17AA	Misuse of motor vehicle		\$2,500
17A	Trespass on premises (1) If the premises are primary production premises <ul style="list-style-type: none"> - Any other case (2) Uses offensive language while trespassing (2a) Fails to give name and address	6 months 6 months	\$5,000 \$2,500 \$1,250 \$1,250
17AB	Trespass at private parties (4) Failing to leave or returns while premises still being used for a party (5) Uses offensive language or behaves in an offensive manner (6) Fails to give name and address (9) Failing to cease loiter	1 year 6 months	\$5,000 \$2,500 \$2,500 \$2,500
17AC	Impersonating an Authorised person under 17A/17AB	-	\$750
17B	Interfere with gates on land where animals kept for primary production	-	\$1,500 Expiation fee: \$375
17C	Disturb farm animals while trespassing on that land	6 months	\$2,500
17D	Forcible entry or retention of land or premises	1 year	\$5,000
18	Order to move or disperse (Cease Loiter) (2) Failure to leave place when request is made under sub-s (1) (5) Failure to leave premises when order is made under sub-s(3), where the public place is in a place of prescribed class	3 months 3 months	\$1,250 \$5,000
18A	Disturb a public meeting	3 months	\$1,250

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
20	Permitting drunkenness and disorderly behaviour	-	\$750
21	Permitting premises to be frequented by thieves, prostitutes and bad characters etc	-	\$750

Part 3A Weapons etc

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
21B	Body armour	2 years	\$10,000
21C	(1) Offensive weapon, article of disguise, implement of housebreaking, (2) Dangerous article (3) Offensive weapon / dangerous article at night - licensed premises (6) Dangerous article - unsafe and unsecure manner. (7) Uses an offensive weapon; or carries an offensive weapon that is visible in the presence of any person in a school or public place in a manner that would be likely to cause a person of reasonable firmness present at the scene to fear for his or her personal safety	6 months 18 months 2 years 3 months 2 years	\$2,500 \$7,500 \$10,000 \$1,250 \$10,000
21D	(1) sells a knife to a minor (3) makes a false statement or produces false evidence in response to a request by a seller (4) markets a knife for combat; or encourage violent behaviour	2 years 2 years	\$20,000 \$1,250 \$20,000
21E	A person who, without lawful excuse, has possession of a knife in a school or public place (a) for a first offence (b) for a subsequent offence	6 months 12 months	\$2 500 \$5 000
21F	(1) Prohibited weapon (14) prohibited weapon - unsafe and unsecure manner	2 years. 3 months	\$20 000 \$1 250
21 I (3)	A person whom a prohibition order applies must not manufacture, sell, distribute, supply, deal with, use or possess a prohibited weapon.	4 years	\$35 000
21 I (4)	A person whom a prohibition order applies must not be present at place at which person carries on business [dealing with weapons] or must not be in company of person whom prohibition order applies	2 years	\$10 000
21 I (7)	A person whom a prohibition order applies must notify Commissioner of fact referred to by s-s(4) and must comply with Commissioner's direction	2 years	\$10 000
21 I (8)	A person must not supply weapon to whom a prohibition order applies or permit that person to gain possession of weapon	4 years	\$35 000

Part 3A Liquor etc

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
21OB(1)	Unlawfully possess or transport liquor for sale - First offence - Second offence or subsequent offence	- -	\$20,000 \$40,000
21OB(2)	Unlawfully possess or transport liquor for sale (other person) - First offence - Second offence or subsequent offence	- -	\$20,000 \$40,000
21OB(3)	Commercial benefit from unlawful possession or transport liquor for sale - First offence - Second offence or subsequent offence	- -	\$20,000 \$40,000
21OC(1)	Supply etc of liquor in certain areas - First offence - Second offence or subsequent offence	- -	\$20,000 \$40,000

Part 4 Tattooing, body piercing and body modification

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
21Q	body piercing /modification procedure on a person who is intoxicated	12 months.	\$5,000
21R	(1) body modification procedure on a minor. (2a) Intimate body piercing on a minor, (2b) body piercing on a minor without consent of guardian	12 months 12 months 12 months	\$5,000 \$5,000 \$5,000
21S	Pre-conditions to performing certain procedure on Minors not followed		\$5,000 Expiation fee: \$315
21T	Sale of body modification equipment to minors		\$2,500
21U	Display of prescribed information		\$1,250 Expiation fee: \$160
21V	Record keeping for 2 years		\$1,250 Expiation fee: \$160
21W	False statement or produce false evidence		\$2,500

Part 5 Offences against decency and morality

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
22	Indecent Language		\$250
23(1)	Indecent behaviour	3 months	\$1,250
23(2)	Grossly indecent behaviour	6 months	\$2,500
24	Urinating in a public place		\$250 Expiation fee: \$80
25	Soliciting		\$750
25A	Procurement for prostitution		
	First Offence	3 months	\$1,250
	Subsequent Offence	6 months	\$2,500
26	Living on earnings of prostitution	6 months	\$2,500

Part 5A Filming and sexting offences

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
26B(1)	(1) A person must not engage in humiliating or degrading filming	1 year	-
26B(2)	A person must not distribute an image obtained by humiliating or degrading filming	1 year	-
26B(3)	A person must not take part in humiliating or degrading where in relation to humiliating or degrading act, conduct constitutes offence against s-s(1) or (2)	2 years	-
26C	Distributing an invasive image of another person (a) If invasive image of person under age of 17 years - In any other case	4 years 2 years	\$20,000 \$10,000
26D(1)	A person must not engage in indecent filming - If the filming involves a minor - Any other case	4 years 2 years	\$20,000 \$10,000
26D(3)	A person must not distribute a moving or still picture obtained by indecent filming - If the filming involves a minor - Any other case	4 years 2 years	\$20,000 \$10,000
26DA(1)	Threatening to distribute an invasive image of a person (a) If invasive image is a minor - In an any other case	2 years 1 year	\$10,000 \$5,000

Part 6 Brothels

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
28	Keeping and managing brothels - First Offence - Subsequent Offence	3 months 6 months	\$1,250 \$2,500
29	Permitting premises to be used as brothels - First Offence - Subsequent Offence	3 months 6 months	\$1,250 \$2,500

Part 7 Indecent or offensive material

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
33(2)	Indecent or offensive material	6 months	\$20,000
35	Restriction on reports of immorality etc	6 months	\$2,500

Part 7A Extremist material

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
37	A person must not possess extremist material or take any steps in producing or distributing extremist material	2 years	\$10,000

Part 8 Fraud, unlawful possession etc

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
38A	Sale of books and educational matter	6 months	\$2,500
39	Pass valueless cheque	2 years	\$10,000
40	Acting as a spiritualist, medium etc with intent to defraud	2 years	\$10,000
41	Unlawful possession of personal property	2 years	\$10,000

Part 9 Offences with respect to property

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
43	Interfere with railways and similar tracks	2 years	\$10,000
44	Unlawful operation of computer system (2a) To obtain a benefit or cause detriment (2b) In any other case	6 months -	\$2,500 \$2,500
44A	Unauthorised impairment to computer or computer data	2 years	-
45	Illegal Use of vehicle or animal	6 months	\$2,500
46	Interfere with ship or boat	1 year	\$5,000
47	Interfere with homing pigeons	-	\$250
47A	Dog theft	2 years	\$50,000
48A	Posting reward and asserting free from prosecution	-	\$500

Part 10 Nuisances and annoyances

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
50	Unlawfully ringing doorbells	-	\$250
51	Throwing missiles 1) intend to injure, annoy, frighten any person or damage property 2) reckless as to may injures, annoys, frightens any person or may damage property	2 years 1 year	- -
52	Throwing fireworks	6 months	\$2,500
53	Playing games to cause injury or damage, or likely to cause injury or damage	-	\$250
54	Emitting excessive noise 5) fails to comply, false name etc 6) breach of subsection (1)(c) 7) allowing noise from vehicle within 6 months of notice	6 months - -	\$1,250 \$1,250 \$1,250
56	Deposit or leave dead animal in street	-	\$750
57	1) Deposit rubbish on land 2) Fail to comply with order	- -	\$750 \$125
58	Obstruct a public place	-	\$750
58A	Objectionable persons in public vehicles	-	\$750
58B	Sale of certain refrigerators	-	\$750

Part 11 Control of traffic in certain cases

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
59(8)	Disobey direction of police etc	-	\$750

Part 11A Disrespectful conduct in court

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
60	A person must not intentionally engage in disrespectful conduct before during proceedings	3 months	\$1,250

Part 12 Bribery of police

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
61	Bribery	2 years	\$10,000

Part 13 False report to police

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
62	False reports to police	2 years	\$10,000
62A	Create false belief calling for police action	2 years	\$10,000

Part 14A Consorting prohibition notices

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
66K	Contravenes/Fails to comply with consorting prohibition notice	2 years	-

Part 14B Declared public precincts

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
66O	Remain in or re-enter declared public precinct after order to leave	-	\$1,250

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
66P	Offensive or disorderly conduct in declared public precinct	-	\$1,250 (expiation \$250)
66Q	Carry offensive weapon or dangerous article in declared public precinct	2 years	\$10,000
66T	Enter or remain in declared public precinct after being barred	-	\$2,500
66U	Hinder police in declared public precinct	6 months	\$2,500

Part 15 Police powers

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
72C(7)	A person must not hinder or obstruct police or person accompanying police officer in exercise of powers conferred by s72A or 72B or fail to comply with requirement or direction given per s72A or 72B	6 months	\$2,500
73	Failing to leave a public venue or returning in 24hrs	6 months	\$2,500
74A	Providing false name or address	3 months	\$1,250
74AB	Providing false name or address of driver of vehicle	3 months	\$1,250
74B(7)	Provide false name or address at road block	6 months	\$2,500
74BJ	Hindering removal or modification of fortification	6 months	\$2,500
81	(3e) Playing videotape made under this section (4e) Disobey reasonable direction of police during search when they seek to obtain a recording of voice or handwriting	2 years 3 months	\$10,000 \$1,250

Part 16A Access to data held electronically

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
74BW	Person contravenes or fails to comply with order under this part	5 years	-
74BX(1)	Altering, concealing or destroying data	5 years	-
74BX(2)	Altering, concealing or destroying data or causing another person to alter, conceal or destroy data	10 years	-
74BX(3)	Person voluntary providing information or assistance of kind in s74BR(1) cannot impede or prejudice investigation	10 years	-

Part 20 Miscellaneous

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
81(3e)	Play detainee's audio visual record when not authorised	2 years	\$10,000
81(4e)	Refuse/Fail to provide voice or handwriting sample	3 months	\$1,250
83B(5)	Enters a dangerous area contrary to warning	6 months	\$2,500
83BA(5)	Overcrowding at public venues – disobey order	6 months	\$2,500