

|  |
| --- |
| Penalties for non-emergency patient transport and first aid services 2023-24 |
| OFFICIAL |

Contents

[Non-Emergency Patient Transport and First Aid Services Act 2003 1](#_Toc111816956)

[Non-Emergency Patient Transport Regulations 2016 4](#_Toc111816957)

[Non-Emergency Patient Transport and First Aid Services (First Aid Services) Regulations 2021 15](#_Toc111816958)

This document is an annually updated publication of the indexation of fines and penalties for the reference of the general public.

# Non-Emergency Patient Transport and First Aid Services Act 2003

| Non-Emergency Patient Transport and First Aid Services Act 2003 | 2022-23 penalty (previous year) | 2023-24 penalty (current year) |
| --- | --- | --- |
| **Part 2—Licensing non-emergency patient transport service operators**  **Division 1—Offenses** |  |  |
| 5 (1) A person must not operate a non-emergency patient transport service unless that person holds a non-emergency patient transport service licence. |  |  |
| *In the case of a natural person, 60 penalty units* | $11,095 | $11,539 |
| *In the case of a body corporate, 240 penalty units.* | $44,381 | $46,154 |
| 6 Offence to claim non-emergency patient transport service licence holder status  (1) A person who is not the holder of a non-emergency patient transport service licence must not—  (a) take or use any title calculated to induce a belief that the person is such a licence holder; or  (b) claim or hold out to be such a licence holder.  *60 penalty units* | $11,095 | $11,539 |
| 6A Offence not to ensure provision of a safe service  The holder of a non-emergency patient transport service licence must ensure that the non-emergency patient transport service provided under the licence—  (a) is safe; and  (b) is of an appropriate quality; and  (c) gives priority to the needs of the persons provided with the service. |  |  |
| *In the case of a natural person, 60 penalty units* | $11,095 | $11,539 |
| *In the case of a body corporate, 240 penalty units.* | $44,381 | $46,154 |
| 17 Conditions on licences  (2) A licence holder must comply with the conditions to which the licence is subject. |  |  |
| *In the case of a natural person, 60 penalty units* | $11,095 | $11,539 |
| *In the case of a body corporate, 240 penalty units.* | $44,381 | $46,154 |
| **Part 2—Licensing non-emergency patient transport service operators**  **Division 5—Special notification requirements** |  |  |
| 42E Change of trading name—non-emergency patient transport service licence holder  If there is a change in the trading name of the holder of a non-emergency patient transport service licence, the licence holder must make an application under section 26 for variation of the non-emergency patient transport service licence to reflect the change in trading name within 14 days of that change.  *60 penalty units* | $11,095 | $11,539 |
| 42F Licence holder must notify Secretary as to certain matters  (1) If the holder of a non-emergency patient transport service licence has not transported any patients during a 12 month period, the licence holder must so notify the Secretary as soon as practicable after the end of the 12 month period. |  |  |
| *In the case of a natural person, 60 penalty units* | $11,095 | $11,539 |
| *In the case of a body corporate, 240 penalty units.* | $44,381 | $46,154 |
| 42F Licence holder must notify Secretary as to certain matters  (2) If the holder of a non-emergency patient transport service licence has transported fewer than 250 patients during a 12 month period, the licence holder must so notify the Secretary as soon as practicable after the end of the 12 month period. |  |  |
| *In the case of a natural person, 60 penalty units* | $11,095 | $11,539 |
| *In the case of a body corporate, 240 penalty units.* | $44,381 | $46,154 |
| 42G Secretary may require evidence to demonstrate maintenance of competencies  (3) A licence holder must comply with a notice under subsection (2).  *In the case of a natural person, 60 penalty units*  *In the case of a body corporate, 240 penalty units.* | $11,095  $44,381 | $11,539  $46,154 |
| **Part 2A—Licensing first aid services operators**  **Division 2—Offenses** |  |  |
| 42I (1) A person must not operate a first aid service unless that person holds a first aid service licence. |  |  |
| *In the case of a natural person, 60 penalty units* | $11,095 | $11,539 |
| *In the case of a body corporate, 240 penalty units.* | $44,381 | $46,154 |
| 42 J Offence to claim first aid service licence holder status  A person who is not the holder of a first aid service licence must not—  (a) take or use any title calculated to induce a belief that the person is such a licence holder; or  (b) claim or hold out to be such a licence holder.  *60 penalty units* | $11,095 | $11,539 |
| 42K Offence not to ensure provision of a safe service  The holder of a first aid service licence must ensure that the first aid service provided under the licence—  (a) is safe; and  (b) is of an appropriate quality; and  (c) gives priority to the needs of the persons provided with the service. |  |  |
| *In the case of a natural person, 60 penalty units* | $11,095 | $11,539 |
| *In the case of a body corporate, 240 penalty units.* | $44,381 | $46,154 |
| 42V Conditions on first aid service licences  (2) A licence holder must comply with the conditions to which the licence is subject. |  |  |
| *In the case of a natural person, 60 penalty units* | $11,095 | $11,539 |
| *In the case of a body corporate, 240 penalty units.* | $44,381 | $46,154 |
| **Part 2A—Licensing first aid services operators**  **Division 7—Special notification requirements** |  |  |
| 42ZZC Change of trading name—first aid service licence holder  If there is a change in the trading name of the holder of a first aid service licence, the licence holder must make an application under section 42ZI for variation of the first aid service licence to reflect the change in trading name within 14 days of that change.  *60 penalty units* | $11,095 | $11,539 |
| 42ZZD First aid service licence holder must notify Secretary as to certain matters  If the holder of a first aid service licence has not attended any events for the purposes of providing first aid during a 12 month period, the licence holder must so notify the Secretary as soon as practicable after the end of the 12 month period. |  |  |
| *In the case of a natural person, 60 penalty units* | $11,095 | $11,539 |
| *In the case of a body corporate, 240 penalty units.* | $44,381 | $46,154 |

|  |  |  |
| --- | --- | --- |
| Non-Emergency Patient Transport and First Aid Services Act 2003 | 2022-23 penalty (previous year) | 2023-24 penalty (current year) |
| **Part 4—Inspection and enforcement powers**  **Division 1—Inspection** |  |  |
| 50 Offences relating to inspection  A person must not—  (a) without reasonable excuse, obstruct an authorised officer in exercising his or her powers under this Act or the regulations; or  (b) knowingly make any false or misleading statement in any application to the Secretary under this Act; or  (c) impersonate the Secretary or an authorised officer in the performance of his or her powers or duties under this Act. |  |  |
| *In the case of a natural person, 60 penalty units* | $11,095 | $11,539 |
| *In the case of a body corporate, 240 penalty units.* | $44,381 | $46,154 |
| **Part 6—General matters**  **Division 3—Miscellaneous matters** |  |  |
| 62 Change of directors etc.  (1) If a person ceases to be, or is appointed as, a director of or other officer having control of a body corporate that holds a Part 2 licence or a Part 2A licence, the body corporate must within 30 days after the change occurs give the Secretary a statement setting out—  (a) the name and address of the person who has ceased to hold, or been appointed to, a position (as the case requires); and  (b) the position which the person has ceased to hold or been appointed to (as the case requires).  *60 penalty units* | $11,095 | $11,539 |

# Non-Emergency Patient Transport Regulations 2016

| Non-Emergency Patient Transport Regulations 2016 | 2022-23 penalty (previous year) | 2023-24 penalty (current year) |
| --- | --- | --- |
| **Part 2—Transport of patients** |  |  |
| 10 Criteria to be complied with before patient is transported  (1) A provider must not transport a patient if the patient's condition is time critical or is likely to become time critical during the transport  *20 penalty units* | $3,698 | $3,846 |
| (2) A provider must not transport a patient if the patient's condition does not require monitoring during the transport.  *20 penalty units* | $3,698 | $3,846 |
| (3) A provider must not transport a patient if the patient has cardiac-related chest pain during the 2 hours immediately before the proposed transport.  *20 penalty units* | $3,698 | $3,846 |
| (4) A provider must not transport a patient unless, immediately before the transport—  (a) clinical observations appropriate to the patient's medical condition have been made and recorded; and  (b) the patient's acuity is assessed by—  (i) a registered medical practitioner; or  (ii) a registered nurse; or  (iii) a registered paramedic; and  (c) the patient is assessed by a person referred to in paragraph (b) as being haemodynamically stable for the duration of the transport.  *20 penalty units* | $3,698 | $3,846 |
| 11 Transport of low acuity patients  (1) A provider must ensure that whenever a low acuity patient is transported in a stretcher vehicle—  (a) there are 2 crew members crewing the vehicle; and  (b) a suitably qualified and competent crew member travels in the patient compartment with the low acuity patient *20 penalty units* | $3,698 | $3,846 |
| (2) A provider must ensure that no more than 2 low acuity patients are transported at any one time in a vehicle that is equipped with a stretcher.  *20 penalty units* | $3,698 | $3,846 |
| 12 Staffing and equipment of vehicles used for the transport of medium acuity patients  (1) When a medium acuity patient is transported, a provider must ensure that—  (a) a suitably qualified and competent crew member travels in the patient compartment with the medium acuity patient for the duration of the transport; and  (b) the medium acuity patient is not left unattended at any time while in the vehicle.  *20 penalty units* | $3,698 | $3,846 |
| (2) A provider must ensure that a medium acuity patient is transported in a vehicle that is equipped with a stretcher.  *20 penalty units* | $3,698 | $3,846 |
| 13 Staffing and equipment of vehicles used for the transport of high acuity patients  (1) When a high acuity patient is transported, a provider must ensure that—  (a) a suitably qualified and competent crew member travels in the patient compartment with the high acuity patient for the duration of the transport; and  (b) the high acuity patient is not left unattended at any time while in the vehicle.  *20 penalty units* | $3,698 | $3,846 |
| (2) A provider must ensure that a high acuity patient is transported in a vehicle that is equipped with a stretcher.  *20 penalty units* | $3,698 | $3,846 |
| 14 High acuity or medium acuity patient must not be transported with another patient  A provider must ensure that a high acuity patient or a medium acuity patient is not transported with another patient in the same vehicle.  *20 penalty units* | $3,698 | $3,846 |
| 15 Restriction on transport of patients  A provider must ensure that a patient is not transported with another patient in the same vehicle if either of those patients—  (a) is behaving in a way that may distress or endanger the other patient; or  (b) is immuno-suppressed; or  (c) has a condition that is likely to cause offence or distress to the other patient; or  (d) is at a high risk of dying during transport; or  (e) has or is suspected of having an infectious disease that has a high risk of being transmitted to the other patient; or  (f) reasonably requires privacy due to the patient's medical condition; or  (g) requires the use of therapeutic or monitoring devices that would prevent or inhibit ready access to each patient.  *20 penalty units* | $3,698 | $3,846 |
| 17 When clinical advice must be obtained before loading a patient  (2) A provider must take reasonable steps to ensure that, when a crew member makes a request under subregulation (1), clinical advice is provided by—  (a) a registered medical practitioner; or  (b) a registered nurse; or  (c) a registered paramedic; or  (d) a clinical instructor employed by the provider.  *20 penalty units* | $3,698 | $3,846 |
| (3) A provider must ensure that an audio recording is made of each oral request for clinical advice made under subregulation (1).  *20 penalty units* | $3,698 | $3,846 |
| (4) A provider must retain the audio recording referred to in subregulation (3) for a period of not less than 7 years after it is made.  *20 penalty units* | $3,698 | $3,846 |
| **Part 3—Staffing of non-emergency patient transport services** |  |  |
| 19 Competencies for staff of non-emergency patient transport services  (1) A provider must ensure that any vehicle used to transport a patient is staffed by persons with skills, competencies and knowledge appropriate for ensuring that the patient's clinical needs can be met for the duration of the transport.  *20 penalty units* | $3,698 | $3,846 |
| (3) A provider must not employ a person as a clinical instructor unless the person has obtained at a minimum a certificate level IV Training and Assessment qualification or a qualification that, in the opinion of the Secretary, is equivalent to the first-mentioned qualification and—  (a) is a registered medical practitioner; or  (b) was employed by a non-emergency patient transport service as a clinical instructor immediately before 20 April 2016; or  (c) is a registered paramedic employed by an ambulance service who has worked for a period of not less than 18 months full time (or part time for not less than the equivalent of that period); or  (d) is employed by a non-emergency patient transport service and has at least 18 months full time (or part time for not less than the equivalent of that period) experience in transporting patients of all acuity levels and that person holds a degree or a diploma approved by the Secretary.  Penalty: 20  *20 penalty units* | $3,698 | $3,846 |
| (4) A provider must ensure that an Ambulance Transport Attendant employed by the provider to crew a vehicle for the purposes of patient transport—  (a) has at least 400 hours of supervised on road clinical practice experience over a period not exceeding 2 years; or  (b) is supervised by a person described in paragraph (a).  *20 penalty units* | $3,698 | $3,846 |
| (5) A provider must ensure that any patient transport officer who crews a vehicle that is providing a non-emergency patient transport service operated by the provider—  (a) has at least 100 hours of on road clinical practice experience in active patient care; or  (b) is supervised by an ambulance transport attendant or a person to whom subregulation (4)(a) applies.  *20 penalty units* | $3,698 | $3,846 |
| (6) A provider must ensure that any staff member of the provider who drives a vehicle that is providing a non-emergency patient transport service operated by the provider has a full driver licence.  *20 penalty units* | $3,698 | $3,846 |
| 20 Assessment of competency  (1) A provider must ensure that the competency of all staff referred to in regulation 19 is maintained at a satisfactory level throughout the course of their service as a staff member with the provider.  *20 penalty units* | $3,698 | $3,846 |
| (2) A provider must ensure that the competency of a staff member after receiving training for the purpose of subregulation (1) is recorded and attested to by the person who did the training.  *20 penalty units* | $3,698 | $3,846 |
| (3) A provider must keep the record and attestation referred to in subregulation (2) available for production to an authorised officer under section 48 of the Act.  *20 penalty units* | $3,698 | $3,846 |
| 21 Skills maintenance training  (1) A provider must ensure that all staff referred to in regulation 19 are provided with annual training that is appropriate having regard to the nature of their work and that is in the following areas—  (a) basic life support;  (b) occupational health and safety, with particular attention to manual handling and infection control;  (c) current evidence-based clinical practice;  (d) mental health training.  *20 penalty units* | $3,698 | $3,846 |
| (2) In addition to the requirements of subregulation (1), a provider must ensure that each crew member employed by the non-emergency patient transport service who attends to medium acuity patients or high acuity patients is provided with training in defibrillator operation and electrocardiogram interpretation.  *20 penalty units* | $3,698 | $3,846 |
| (3) A provider must keep a record of—  (a) the names of staff who have participated in training in respect of each area set out in subregulations (1) and (2); and  (b) the level of accreditation achieved by each member of staff.  *10 penalty units* | $1,849 | $1,923 |
| 22 Staff identification  A provider must ensure that each member of staff referred to in regulation 19 wears an identification tag while on duty that shows—  (a) the member of staff's name and position; and  (b) the trading name of the provider.  *15 penalty units* | $2,774 | $2,885 |
| **Part 4—Licensing** |  |  |
| 31 Audit of quality assurance plan  (1) Subject to subregulation (2), if at any time during the duration of the licence the quality assurance plan of the licence holder is audited by an accreditation body, the licence holder must submit a copy of the audit report to the Secretary no later than 14 days after the licence holder receives a copy of the report from the accreditation body.  *15 penalty units* | $2,774 | $2,885 |
| (2) If an audit report referred to in subregulation (1) contains a notification as to the existence of a risk of a high probability of harm or injury to a patient, the licence holder must report that risk to the Secretary no later than 24 hours after the licence  holder receives a copy of the report from the accreditation body.  *20 penalty units* | $3,698 | $3,846 |
| 32 Revocation, suspension or expiry of accreditation of quality assurance plan  (1) A licence holder must not operate a non-emergency patient transport service if the accreditation of the licence holder's quality assurance plan is revoked or suspended or has expired.  *20 penalty units* | $3,698 | $3,846 |
| 32C Audit of occupational health and safety plan  (1) If at any time during the duration of the licence the occupational health and safety plan of the licence holder is audited by an accreditation body, the licence holder must submit a copy of the audit report to the Secretary no later than 14 days after the licence holder receives a copy of the report from the accreditation body.  *15 penalty units* | $2,774 | $2,885 |
| (2) If an audit report referred to in subregulation (1) contains a notification as to the existence of a risk of a high probability of harm or injury to a patient or a staff member, the licence holder must report that risk to the Secretary no later than 24 hours after the licence holder receives a copy of the report from the accreditation body.  *20 penalty units* | $3,698 | $3,846 |
| 32D Revocation, suspension or expiry of occupational health and safety plan  (1) A licence holder must not operate a non-emergency patient transport service if the accreditation of the occupational health and safety plan of the licence holder is revoked or suspended or has expired.  *20 penalty units* | $3,698 | $3,846 |
| **Part 6—Records** |  |  |
| 37 Records to be kept  (1) A provider must ensure that patient care records are maintained in accordance with regulation 38.  *15 penalty units* | $2,774 | $2,885 |
| (2) A provider must ensure that staff records are maintained in accordance with regulation 39.  *15 penalty units* | $2,774 | $2,885 |
| 39 Staff records  (3) A provider must retain the staff records in relation to a crew member for a period of not less than 2 years following the cessation of employment of the crew member.  *15 penalty units* | $2,774 | $2,885 |
| 40 Records of an aeromedical service  A provider of an aeromedical service must produce to the Secretary a copy of its current Air Operator's Certificate issued by CASA when applying for a licence or the renewal of a licence under the Act.  *15 penalty units* | $2,774 | $2,885 |

| Non-Emergency Patient Transport Regulations 2016 | 2022-23 penalty (previous year) | 2023-24 penalty (current year) |
| --- | --- | --- |
| **Part 7—Patient rights and information** |  |  |
| 41 Establishment of complaints register  (1) A provider must establish a complaints register for all complaints received about the service, whether the complaints were made in writing or orally.  *10 penalty units* | $1,849 | $1,923 |
| (2) A provider must ensure that its complaints register contains the following information in relation to each complaint made—  (a) the name of the patient;  (b) the patient's pick up location and final destination;  (c) the nature of the complaint;  (d) the date of the complaint;  (e) details of any investigation of the complaint;  (f) the outcome of any investigation of the complaint;  (g) details of any action taken.  *10 penalty units* | $1,849 | $1,923 |
| 42 Investigation of complaints  A provider must ensure that any investigation of a complaint is carried out in a manner that is not detrimental to—  (a) the complainant; or  (b) the continued provision of services.  *10 penalty units* | $1,849 | $1,923 |
| 43 Contact details of a provider  A provider must ensure that contact details for its non-emergency patient transport service are provided to each patient transported by the service, before the completion of the transport.  *10 penalty units* | $1,849 | $1,923 |
| 44 Provision of information brochure  A provider must ensure that an information brochure containing the information set out in regulation 45 is made available on request to a patient who is or has been, or is about to be, transported by the service.  *10 penalty units* | $1,849 | $1,923 |
| **Part 8—Infection control** |  |  |
| 46 Infection control management plan  (1) A provider must ensure that an infection control management plan is developed in compliance with the infection control guidelines.  *20 penalty units* | $3,698 | $3,846 |
| (3) A provider must ensure that the infection control management plan is reviewed annually.  *20 penalty units* | $3,698 | $3,846 |
| 47 Vehicles  (1) If a vehicle modification results in a change of vehicle category code of a vehicle, a provider must ensure that the vehicle is not used to transport patients on a public road unless the provider has provided the Secretary with—  (a) a copy of the vehicle assessment signatory scheme approval certificate; or  (b) a photograph of the second stage of manufacture compliance plate.  *20 penalty units* | $3,698 | $3,846 |
| (2) A provider must ensure that a vehicle-cleaning plan is developed that complies with—  (a) the infection control guidelines; and  (b) subregulation (3).  *20 penalty units* | $3,698 | $3,846 |
| (4) A provider must ensure that all vehicles used for the transport of patients by the non-emergency patient transport service are kept in a clean and hygienic condition.  *20 penalty units* | $3,698 | $3,846 |
| (5) A provider must ensure that all vehicles used for the transport of patients on a public road by the non-emergency patient transport service are equipped with warning lights that can be activated when at any incident attended by the vehicle.  *20 penalty units* | $3,698 | $3,846 |
| **Part 9—Provision, inspection and maintenance of vehicles and equipment** |  |  |
| 48 Maintenance of vehicles and equipment  (1) A provider must ensure that an annual maintenance schedule is developed to ensure all vehicles and equipment used in the course of transporting patients are kept in good working order at all times in accordance with the manufacturers' specifications.  *10 penalty units* | $1,849 | $1,923 |
| 49 Records of maintenance  (1) A provider must keep an accurate record of all maintenance and repairs to vehicles and equipment used in the course of transporting patients.  *10 penalty units* | $1,849 | $1,923 |
| (2) A provider must ensure that the record referred to in subregulation (1) is retained and maintained for the lifespan of the vehicle or equipment to which it relates.  *10 penalty units* | $1,849 | $1,923 |
| 49A Mileage of vehicle  A provider must not use a vehicle for non-emergency patient transport if the mileage of the vehicle exceeds 400 000 km.  *20 penalty units* | $3,698 | $3,846 |
| 49B Exemption from vehicle mileage limit  (6) The provider of a vehicle that is granted an exemption must comply with the conditions imposed under subregulation (4).  *20 penalty units* | $3,698 | $3,846 |
| 50 Interiors of road vehicles  (2) A provider must ensure that within each vehicle there is sufficient room between stretchers and seats to facilitate proper patient care and clinical monitoring.  *10 penalty units* | $1,849 | $1,923 |
| (2A) The provider must ensure that each vehicle that contains 2 stretchers has a minimum separation of 350 mm between the stretchers.  *10 penalty units* | $1,849 | $1,923 |
| (3) A provider must ensure that within each vehicle there is seating in the patient compartment for each attendant who travels in that compartment and seating for all other persons travelling in the vehicle.  *10 penalty units* | $1,849 | $1,923 |
| (4) A provider must ensure that each vehicle interior allows the patient to be viewed at all times by crew members.  *5 penalty units* | $925 | $962 |
| (5) A provider must ensure that each vehicle interior has sufficient heating and air-conditioning to ensure patient comfort within the vehicle.  *5 penalty units* | $925 | $962 |
| (6) A provider must ensure that each vehicle is provided with windows fitted to all doors.  *5 penalty units* | $925 | $962 |
| (7) A provider must ensure that windows fitted to the vehicle are tinted to a degree that is—  (a) sufficient to maintain patient privacy; and  (b) compliant with the Vehicle Standards contained in Schedule 1 to the Road Safety (Vehicles) Regulations 2021.  *5 penalty units* | $925 | $962 |
| (8) A provider must ensure that vehicle interiors are provided with adequate interior lighting to provide safe patient care at all times within all areas of the vehicle and that the lighting can be adjusted from the patient compartment and from the driver compartment.  *10 penalty units* | $1,849 | $1,923 |
| (9) A provider must ensure that vehicle interiors are provided with smooth, impermeable and seamless materials for the surface of floors and walls.  *5 penalty units* | $925 | $962 |
| (10) A provider must ensure that the vehicle is able to accommodate and restrain any mobility device that a patient takes into the vehicle.  *10 penalty units* | $1,849 | $1,923 |
| (11) The interior of a vehicle must be maintained and kept in good repair at all times.  *10 penalty units* | $1,849 | $1,923 |
| (12) The patient compartment of the vehicle must be checked and serviced at the times specified in subregulation (13) to ensure that—  (a) all fixtures and fittings are tightly fixed to the vehicle; and  (b) all compartment wall and floor surfaces are undamaged.  *20 penalty units* | $3,698 | $3,846 |
| 51 Equipment  (1) A provider must ensure that any vehicle used to transport a patient carries all the equipment and supplies necessary to meet the patient's clinical needs for the duration of the transport, including an Automated External Defibrillator, portable oxygen, suction and a bag valve mask.  *20 penalty units* | $3,698 | $3,846 |
| (2) A provider must ensure that all stretchers carried in vehicles are power lift stretchers.  *20 penalty units* | $3,698 | $3,846 |
| (3) A provider must ensure that any vehicle equipped with a stretcher carries a lifting cushion at all times.  *20 penalty units* | $3,698 | $3,846 |
| 52 Communication devices  A provider must ensure that communication devices are available at all times when a vehicle is used to transport a patient so as to maintain contact between the vehicle and the non-emergency patient transport service base, the medical service destination and Ambulance Service—Victoria.  *20 penalty units* | $3,698 | $3,846 |
| 52A Change to vehicle category code of vehicle  (1) If a vehicle modification results in a change of vehicle category code of a vehicle, a provider must ensure that the vehicle is not used to transport patients on a public road unless the provider has provided the Secretary with—  (a) a copy of the vehicle assessment signatory scheme approval certificate; or  (b) a photograph of the second stage of manufacture compliance plate.  *20 penalty units* | $3,698 | $3,846 |
| **Part 11—Aeromedical services** |  |  |
| 54 Report of breach of CASA requirements  A provider of an aeromedical service must report immediately to the Secretary if it is issued by CASA with—  (a) a non-compliance notice; or  (b) a show cause notice within the meaning of section 3 of the Civil  *20 penalty units* | $3,698 | $3,846 |
| 55 Aircraft equipment  A provider of an aeromedical service must ensure that any aircraft it uses for the aeromedical service is fitted with—  (a) a 240 volt (2 amp) power supply with 2 outlets; and  (b) if the transport of incubators or other 12 volt devices is required, a 12 volt (10 amp) power supply compliant with any applicable electrical standards.  *20 penalty units* | $3,698 | $3,846 |
| 56 Configuration  (1) A provider of an aeromedical service must ensure that the clinical facilities and equipment in an aircraft used by it for the aeromedical service are placed in a position to allow continuous patient treatment, including during adverse weather conditions.  *10 penalty units* | $1,849 | $1,923 |
| (2) A provider of an aeromedical service must ensure that a seat is provided for each person travelling on the aircraft.  *10 penalty units* | $1,849 | $1,923 |
| 57 Stowage  (1) A provider of an aeromedical service must ensure that an aircraft used by it for the aeromedical service provides sufficient and appropriate storage space and restraint for any medical equipment carried on board.  *10 penalty units* | $1,849 | $1,923 |
| (2) A provider of an aeromedical service must ensure that an aircraft used by it for the aeromedical service is suitable for the carriage and stowage of passenger or patient cabin baggage and an additional 5 kilograms of luggage for each passenger.  *10 penalty units* | $1,849 | $1,923 |
| 58 Loading  (1) A provider of an aeromedical service must ensure that the main cabin door and stretcher loading system of an aircraft used by it for the aeromedical service are designed to permit boarding and disembarking of both ambulatory and stretcher patients.  *10 penalty units* | $1,849 | $1,923 |
| (2) A provider of an aeromedical service must ensure that loading and unloading a stretcher into and off an aircraft used by it for the aeromedical service requires not more than 2 persons.  *10 penalty units* | $1,849 | $1,923 |
| (3) A provider of an aeromedical service must ensure the stretcher-loading system of an aircraft used by it for the aeromedical service allows access to patients to be maintained at all times during patient loading and unloading.  *10 penalty units* | $1,849 | $1,923 |
| 59 Cabin  A provider of an aeromedical service must ensure, in respect of any aircraft used by it for an aeromedical service, that—  (a) the cabin lining and floor coverings are of a smooth, non-skid, anti-static, washable material, sealed against the aircraft sidewalls to window level; and  (b) adequate lighting is provided in the cabin to provide safe patient care at all times; and  (c) for night flights, opaque washable curtains or dividers are fitted between the cockpit and cabin.  *10 penalty units* | $1,849 | $1,923 |
| 60 Medical equipment  A provider of an aeromedical service must ensure that any aircraft used by it for the aeromedical service is fitted with—  (a) a CASA approved medical oxygen system capable of supplying adequate oxygen that—  (i) has a warning device or devices for indicating main medical oxygen supply exhaustion; and  (ii) enables oxygen to be turned off during flight; and  (b) a suction system capable of performing in all foreseeable cabin pressures that—  (i) has one suction outlet and apparatus for each stretcher and one reserve method of applying suction; and  (ii) is able to operate when the aircraft is not in flight.  *20 penalty units* | $3,698 | $3,846 |
| 61 Other equipment requirements  A provider of an aeromedical service must ensure that all patients dependent on a mechanical ventilator during non-emergency transport are protected with a disconnect alarm and have capnography available to them.  *20 penalty units* | $3,698 | $3,846 |

# Non-Emergency Patient Transport and First Aid Services (First Aid Services) Regulations 2021

| Non-Emergency Patient Transport and First Aid Services (First Aid Services) Regulations 2021 | 2022-23 penalty (previous year) | 2023-24 penalty (current year) |
| --- | --- | --- |
| **Part 2—First aid services** |  |  |
| 9 Licence holder must comply with licence  A licence holder must not provide first aid services unless the first aid services provided are within the scope of the licence holder's first aid service licence.  *20 penalty units* | $3,698 | $3,846 |
| 10 Licence holder must have written scope of clinical practice  (1) A licence holder must prepare and maintain a written scope of clinical practice for the safe provision of the first aid service by the licence holder.  *20 penalty units* | $3,698 | $3,846 |
| (3) A licence holder must not treat patients for any condition, illness or injury that is outside the scope of clinical practice of the first aid service.  *20 penalty units* | $3,698 | $3,846 |
| 11 Licence holder must have written scope of clinical practice for each staff member  (1) A licence holder must prepare and maintain a written scope of clinical practice for the safe provision of first aid services by each staff member of the first aid service.  *20 penalty units* | $3,698 | $3,846 |
| (4) A licence holder must ensure that a staff member has access to clinical advice when treating patients.  *20 penalty units* | $3,698 | $3,846 |
| 12 Staff member must work within scope of clinical practice  (1) A staff member of a license holder must not provide any management or intervention that is outside the scope of clinical practice of the staff member.  *20 penalty units* | $3,698 | $3,846 |
| **Part 3—Staffing of first aid services** |  |  |
| 13 Competencies for staff members of first aid services  (1) A licence holder must ensure that all staff members, on their initial engagement by the first aid service, have the skills, competency and knowledge appropriate to their duties in treating patients of the first aid service.  *20 penalty units* | $3,698 | $3,846 |
| 14 Ongoing assessment of competency  (1) A licence holder must ensure that the competency of all staff members referred to in regulation 13 is maintained throughout the course of their service as staff members with the first aid service.  *20 penalty units* | $3,698 | $3,846 |
| (2) A licence holder must ensure that the competency of a staff member who has received training for the purpose of subregulation (1) is recorded and attested to by the person who provided the training.  *20 penalty units* | $3,698 | $3,846 |
| (3) A licence holder must keep the record and attestation referred to in subregulation (2) available for production to an authorised officer under section 48 of the Act.  *20 penalty units* | $3,698 | $3,846 |
| 16 Staff identification  A licence holder must ensure that each staff member referred to in regulation 13 while on duty wears an identification tag that shows—  (a) the staff member's name and position; and  (b) the trading name of the licence holder.  *15 penalty units* | $2,774 | $2,885 |
| **Part 4—Licensing** |  |  |
| 26 Audit of quality assurance plan  (1) Subject to subregulation (2), if at any time during the period of a first aid service licence the quality assurance plan of the licence holder is audited by an accreditation body, the licence holder must submit a copy of the audit report to the Secretary no later than 14 days after the licence holder receives a copy of the report from the accreditation body.  *15 penalty units* | $2,774 | $2,885 |
| (2) If an audit report referred to in subregulation (1) identifies the existence of a significant patient risk, the licence holder must report that risk to the Secretary no later than 24 hours after the licence holder receives a copy of the report from the accreditation body.  *20 penalty units* | $3,698 | $3,846 |
| 27 Revocation, suspension or expiry of accreditation  (1) A licence holder must not provide an advanced first aid service if the accreditation of the licence holder's quality assurance plan is revoked or suspended or has expired.  *20 penalty units* | $3,698 | $3,846 |
| **Part 6—Records** |  |  |
| 35 Records to be kept  (1) A licence holder must ensure that patient care records are maintained in accordance with regulation 36.  *15 penalty units* | $2,774 | $2,885 |
| (2) A licence holder must ensure that staff records are maintained in accordance with regulation 37.  *15 penalty units* | $2,774 | $2,885 |
| 37 Staff records  (2) A licence holder must retain the staff records in relation to a staff member for a period of not less than 2 years following the staff member ceasing to be a staff member of the first aid service.  *15 penalty units* | $2,774 | $2,885 |

| Non-Emergency Patient Transport and First Aid Services (First Aid Services) Regulations 2021 | 2022-23 penalty (previous year) | 2023-24 penalty (current year) |
| --- | --- | --- |
| **Part 7—Patient rights and information** |  |  |
| 38 Establishment of complaints register  (1) A licence holder must establish a complaints register for recording all complaints received about the first aid service, including—  (a) complaints made in writing; and  (b) complaints made orally.  *10 penalty units* | $1,849 | $1,923 |
| (2) A licence holder must ensure that the complaints register contains as a minimum the following information in relation to each complaint made—  (a) the name of the patient;  (b) the place where first aid was provided to the patient;  (c) the nature of the complaint;  (d) the date of the complaint;  (e) details of any investigation of the complaint;  (f) the outcome of any investigation of the complaint;  (g) details of any action taken.  *10 penalty units* | $1,849 | $1,923 |
| 39 Investigation of complaints  A licence holder must ensure that any investigation of a complaint is carried out in a manner that is not detrimental to the complainant.  *10 penalty units* | $1,849 | $1,923 |
| 40 Contact details of a licence holder  A licence holder must ensure that, as far as practicable, contact details for the first aid service are provided to each patient to whom first aid is provided by the service at the time of the provision of first aid to the patient.  *10 penalty units* | $1,849 | $1,923 |
| **Part 8—Infection control** |  |  |
| 41 Infection control management plan  (1) A licence holder who is licensed to provide an intermediate first aid service or an advanced first aid service must ensure its quality assurance plan includes an infection control management plan that is developed in compliance with the infection control guidelines.  *20 penalty units* | $3,698 | $3,846 |
| (3) A licence holder must ensure that the infection control management plan is reviewed annually.  *20 penalty units* | $3,698 | $3,846 |

| Non-Emergency Patient Transport and First Aid Services (First Aid Services) Regulations 2021 | 2022-23 penalty (previous year) | 2023-24 penalty (current year) |
| --- | --- | --- |
| **Part 9—Provision, inspection and maintenance of equipment** |  |  |
| 42 Maintenance of equipment  (1) A licence holder must ensure that an annual maintenance schedule is developed to ensure all equipment used in the course of providing first aid to patients is kept in good working order in accordance with the manufacturers' specifications.  *10 penalty units* | $1,849 | $1,923 |
| (2) A licence holder must ensure all equipment used in the course of providing first aid to patients is kept in good working order at all times in accordance with the manufacturers' specifications.  *10 penalty units* | $1,849 | $1,923 |
| 43 Records of maintenance  (1) A licence holder must keep an accurate record of all maintenance of and repairs to equipment used in the course of providing first aid to patients.  *10 penalty units* | $1,849 | $1,923 |
| (2) A licence holder must ensure that the record referred to in subregulation (1) is kept and maintained for the lifespan of the equipment to which it relates.  *10 penalty units* | $1,849 | $1,923 |
| 44 Equipment  A licence holder must ensure that a first aid station provided by the first aid service has all the equipment and supplies needed to provide first aid within its scope of clinical practice, including the following—  (a) drinking water for patient and staff use;  (b) sanitiser and hand washing facilities;  (c) an automated external defibrillator;  (d) an epinephrine device or equivalent adrenaline ampoules (if staff members are legally authorised to administer ampoules of adrenaline);  (e) a means of waste management, including for the safe disposal of sharps and contaminated waste;  (f) external signposting enabling the first aid station to be readily identified and located;  (g) if the licence holder is an intermediate first aid service licence holder or an advanced first aid service licence holder, a salbutamol MDI and spacer;  (h) if the licence holder is an intermediate first aid service licence holder or an advanced first aid service licence holder, suitable patient transfer equipment.  *20 penalty units* | $3,698 | $3,846 |
| 45 Communication devices  A licence holder must ensure that communication devices are available at all times so that a staff member providing first aid services at an event can reasonably communicate with—  (a) the head office representative of the licence holder; and  (b) the on-site event headquarters or the person with overall command of the first aid service at the event; and  (c) another health care provider or a statutory ambulance service; and  (d) other emergency services.  *20 penalty units* | $3,698 | $3,846 |

Please note that the above are all court ordered penalties.

|  |
| --- |
| To receive this document in another format, [email NEPT, First Aid and Investigations](mailto:NEPTFirstAidRegulation@health.vic.gov.au) Unit <NEPTFirstAidRegulation@health.vic.gov.au>  Authorised and published by the Victorian Government, 1 Treasury Place, Melbourne.  © State of Victoria, Australia, Department of Health, September 2023.  ISBN 978-1-76096-774-1 (pdf/online/MS word)  Available at [Fees, Charges and Penalties Subject to Automatic Indexation](https://www.health.vic.gov.au/payments/fees-charges-and-penalties-subject-to-automatic-indexation) <https://www.health.vic.gov.au/payments/fees-charges-and-penalties-subject-to-automatic-indexation> |