



Queensland

Penalties and Sentences Act 1992

Penalties and Sentences Regulation 2025

Current as at 1 September 2025

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Penalties and Sentences Regulation 2025

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Penalties and Sentences Regulation 2025

1 Short title

This regulation may be cited as the *Penalties and Sentences Regulation 2025*.

2 Commencement

This regulation commences on 1 September 2025.

3 Particular local governments—Act, s 5

For section 5(1)(b) of the Act, each local government stated in schedule 1 is prescribed.

4 Value of particular penalty unit—Act, s 5A

For section 5A(1) of the Act, the value prescribed is \$166.90.

5 Drug diversion courts—Act, s 15B

For section 15B of the Act, definition *drug diversion court*, each of the following courts is prescribed—

- (a) a Childrens Court as constituted under the *Childrens Court Act 1992*, section 5(3)(a) or (b);
- (b) a Magistrates Court.

6 Prescribed dangerous drugs and prescribed quantities—Act, s 15D

- (1) For section 15D(2) of the Act, definition *prescribed dangerous drug*, each dangerous drug stated in schedule 2 is prescribed.
- (2) For section 15D(2) of the Act, definition *prescribed quantity*, the quantity stated in schedule 2 opposite a prescribed dangerous drug is prescribed in relation to the drug.

7 Persons who may ask for particular permissions

An offender, or a person on behalf of an offender, may ask for the permission mentioned in section 66(1)(f), 93(1)(f), 103(1)(f), 110C(1)(f) or 114(1)(h) of the Act.

8 Recording of hours community service is performed

- (1) On each day an offender reports to an authorised corrective services officer to perform community service under a relevant order—
 - (a) the officer must record on the attendance return for the offender for the order—
 - (i) the time, on the day, the offender reports to perform community service under the order; and
 - (ii) the time, on the day, the offender stops performing community service under the order; and
 - (b) the offender must countersign each record required to be made under paragraph (a).

- (2) In this section—

attendance return, for an offender for a relevant order, means a document issued by the chief executive (corrective services) for the recording of information about the number of hours community service is performed by the offender under the order.

relevant order means—

- (a) a community service order; or
- (b) a fine option order; or
- (c) an intensive correction order.

9 Proper officer to advise chief executive (corrective services) if particular payments made

- (1) This section applies if—

-
- (a) a fine or part of a fine to which a fine option order for the offender relates is paid to the proper officer of the court in accordance with section 73(2) of the Act; and
 - (b) the payment is applied to the amount of the fine to which the order relates.
- (2) The proper officer of the court is to notify the chief executive (corrective services) of the payment.

10 Magistrates Court—Act, s 151B

For section 151B of the Act, definition *court*, a magistrate of the Magistrates Court, Central division of the Brisbane Magistrates Courts District, is prescribed.

11 Corresponding control orders—Act, s 161ZW

For section 161ZW of the Act, each of the following orders is prescribed to be a corresponding control order—

- (a) a control order under the *Serious and Organised Crime (Control) Act 2008* (SA), if the court is satisfied of the matter mentioned in section 22(2)(c) of that Act;
- (b) a control order under the *Serious Crime Control Act 2009* (NT), if the order is made on the ground mentioned in section 23(1)(d) of that Act;
- (c) a serious crime prevention order under the *Crimes (Serious Crime Prevention Orders) Act 2016* (NSW);
- (d) a serious crime prevention order under the *Criminal Organisations Control Act 2012* (Vic).

12 Offender levy—Act, s 179C

- (1) For section 179C(5) of the Act, the amount prescribed is—
- (a) if the sentence is imposed by the Supreme Court or District Court—390.50 fee units; or
 - (b) if the sentence is imposed by a Magistrates Court—130.30 fee units.

- (2) Subsection (3) applies for working out the amount of the offender levy.
- (3) For the purpose of the *Acts Interpretation Act 1954*, section 48C(3), the amount is to be rounded to the nearest multiple of 10 cents (rounding one-half upwards).

Example—

Subsection (1)(a) prescribes an amount of 390.50 fee units. If the value of a fee unit for this regulation were \$1.50, the number of dollars obtained by multiplying \$1.50 by 390.50 would be \$585.75. Because \$585.75 is halfway between \$585.70 and \$585.80, it is rounded upwards, so the amount for subsection (1)(a) would be \$585.80.

13 Repeal

The Penalties and Sentences Regulation 2015, No. 77 is repealed.

Schedule 1 Local governments

section 3

Aurukun Shire Council

Doomadgee Aboriginal Shire Council

Hope Vale Aboriginal Shire Council

Napranum Aboriginal Shire Council

Pormpuraaw Aboriginal Shire Council

Torres Shire Council

Torres Strait Island Regional Council

Woorabinda Aboriginal Shire Council

Wujal Wujal Aboriginal Shire Council

Yarrabah Aboriginal Shire Council

Schedule 2 Prescribed dangerous drugs and prescribed quantities

section 6

Dangerous drug	Quantity
Amphetamine	1.0g
Barbituric acid and any 5,5 disubstituted derivatives of barbituric acid, whether or not further substituted at position 1 of the ring	5.0g
4-Bromo-2,5-dimethoxyamphetamine (DOB, 4-Bromo-DMA)	0.02g
4-Bromo-2,5-dimethoxyphenethylamine (2C-B)	0.02g
Cannabis	50.0g
Cocaine	1.0g
Codeine, other than if it—	
(a) is compounded with other medicaments in a way in which the codeine can not be readily extracted; and	
(b) is contained in—	
(i) divided preparations containing 30mg or less of codeine for each dosage unit; or	
(ii) undivided preparations containing 1% or less of codeine	5.0g
N,N-Diethyltryptamine	1.0g
2,5-Dimethoxy-4-ethylamphetamine (DOET)	1.0g
2,5-Dimethoxy-4-methylamphetamine (DOM)	1.0g
N,N-Dimethyltryptamine	1.0g
Fenethylamine (Theophylline-ethylamphetamine)	1.0g

Dangerous drug	Quantity
Fentanyl	0.0025g
Gamma hydroxybutyric acid (GHB)	1.0g
Heroin	1.0g
Hydromorphone	1.0g
Ketamine	0.2g
Lysergic acid	3 tickets or tabs
Lysergide	3 tickets or tabs
Methadone	1.0g
Methcathinone	1.0g
5-Methoxy-3,4-methylenedioxyamphetamine (MMDA)	1.0g
2-Methylamino-1-(3,4-methylenedioxyphenyl) butane (MBDB)	1.0g
4-Methylaminorex	1.0g
Methylamphetamine	1.0g
3,4-Methylenedioxyethylamphetamine (MDEA)	1.0g
3,4-Methylenedioxymethamphetamine (MDMA)	1.0g
4-Methylthioamphetamine (4-MTA)	1.0g
Moramide	1.0g
Morphine	1.0g
Opium	5.0g
Paramethoxyamphetamine (PMA)	1.0g
Pethidine	1.0g
Phencyclidine	0.2g

Schedule 2

Dangerous drug	Quantity
Psilocin (4-Hydroxy-N,N-dimethyltryptamine)	0.04g
Psilocybin (O-Phosphoryl-4-hydroxy-N,N-dimethyltryptamine)	0.04g
Tetrahydrocannabinols including their alkyl homologues other than where separately specified; and their corresponding carboxylic acids	1.0g
3,4,5-Trimethoxyamphetamine	1.0g

In this schedule—

ticket or tab, for a dangerous drug, means the quantity, not more than 0.000040g, of the drug that is prepared or apparently prepared to be administered as a single dose.