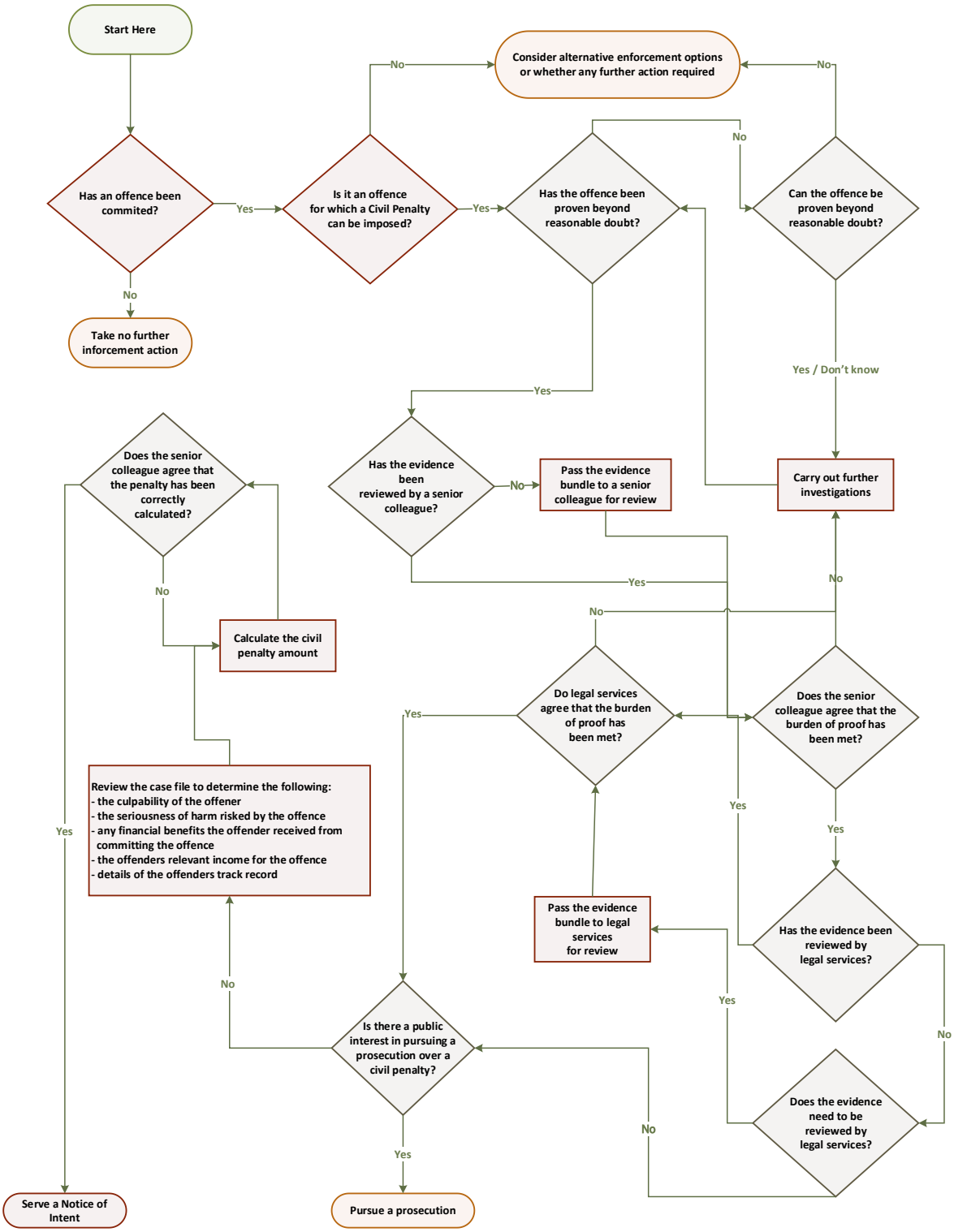
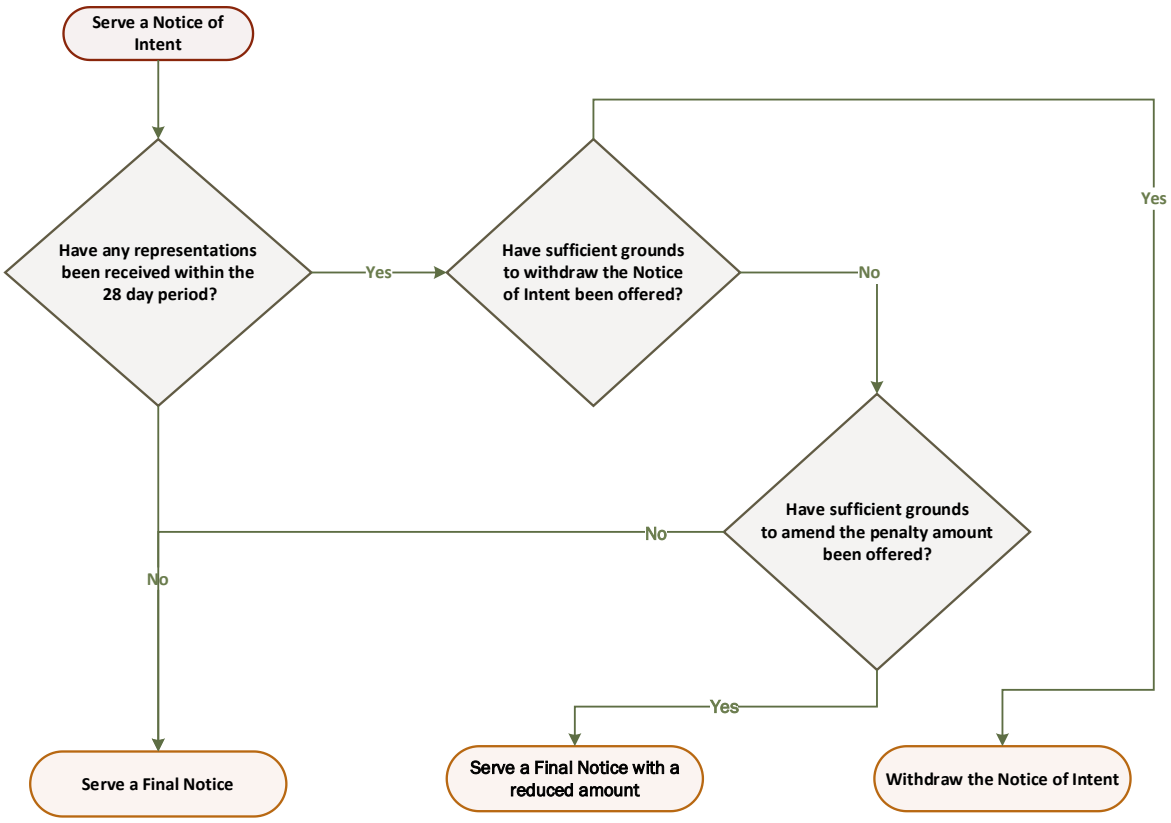

Start Here
Has an offence been commited?
Yes
No
Take no further inforcement action
Is it an offence for which a Civil Penalty can be imposed?
No
Consider alternative enforcement options or whether any further action required
Yes
Has the offence been proven beyond reasonable doubt?
No
Can the offence be proven beyond reasonable doubt?
No
Yes / Don't know
Carry out further investigations
Yes
Has the evidence been reviewed by a senior colleague?
No
Pass the evidence bundle to a senior colleague for review
Yes
Does the senior colleague agree that the penalty has been correctly calculated?
No
Calculate the civil penalty amount
Yes
Review the case file to determine the following:
- the culpability of the offener
- the seriousness of harm risked by the offence
- any financial benefits the offender received from committing the offence
- the offenders relevant income for the offence
- details of the offenders track record
No
Do legal services agree that the burden of proof has been met?
Yes
No
Does the senior colleague agree that the burden of proof has been met?
Yes
Yes
Pass the evidence bundle to legal services for review
Has the evidence been reviewed by legal services?
Yes
No
Does the evidence need to be reviewed by legal services?
No
Is there a public interest in pursuing a prosecution over a civil penalty?
No
Yes
Serve a Notice of Intent
Pursue a prosecution


Serve a Notice of Intent
Have any representations been received within the 28 day period?
Yes
Have sufficient grounds to withdraw the Notice of Intent been offered?
No
Yes
Have sufficient grounds to amend the penalty amount been offered?
No
No
Yes
Serve a Final Notice
Serve a Final Notice with a reduced amount
Withdraw the Notice of Intent