



24 September 2014

Mr Trevor Ruthenberg MP  
The Chair  
Health and Community Services Committee  
Parliament House  
George Street  
BRISBANE QLD 4000

By post and email: [hcsc@parliament.qld.gov.au](mailto:hcsc@parliament.qld.gov.au)

Dear Mr Ruthenberg

**QUEENSLAND CATHOLIC EDUCATION COMMISSION (QCEC)  
RESPONSE TO THE HEALTH LEGISLATION AMENDMENT BILL 2014**

We refer to your committee's call for submissions on the *Health Legislation Amendment Bill 2014 (HealthLAB 2014)*.

The Queensland Catholic Education Commission (QCEC) is grateful for the opportunity to provide comment and a recommendations on the Bill.

QCEC is the peak body at state level for twenty Catholic school employing authorities with 296 schools, 144,000 students and around 17,000 employees.

The response which is attached places a particular focus on one matter in the *HealthLAB 2014* which will have an impact on all school communities including Catholic schools.

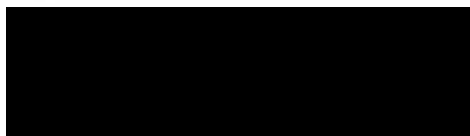
QCEC has a record of active participation over a many years in a number of parliamentary committee inquiries into legislation relating to the context of schooling.

Once again, the Commission wishes to reaffirm that Catholic school authorities are fully committed to ensuring the good health and safety of children and young people in Catholic schools in Queensland. This means that Catholic school authorities are also committed to being fully compliant with all legislative requirements.

We note that a public hearing on the Bill may be held on a date to be determined.

While we are happy to attend a public hearing, we do not anticipate that the attached response would require such attendance.

I commend the attached response to the Committee.



**Mike Byrne**  
**Executive Director**



Queensland Catholic Education Commission

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## Response to Health and Community Services Committee Inquiry into the Health Legislation Amendment Bill 2014.

24 September 2014

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### Introduction:

The Queensland Catholic Education Commission (QCEC) thanks the Chair of the Health and Community Services Committee for the opportunity to provide comment on the Inquiry into the *Health Legislation Amendment Bill 2014 (HealthLAB 2014)*.

QCEC is the peak body at state level for twenty Catholic school employing authorities with 144,000 students and 17,000 staff.

QCEC notes that there is one aspect of the Bill which will impact directly on Catholic schools in Queensland.

This matter is the amendment of the *Tobacco and Other Smoking Products Act 1998* to extend smoking bans on and around health facilities, school grounds and in prisons; and to apply existing tobacco laws to personal vaporising devices, e.g. electronic cigarettes, including prohibiting sale and supply to children, restricting advertising and display, and prohibiting use in smoke-free places.

QCEC supports the intent of the Bill in this regard particularly the intent at Section 26ZGD to extend smoking bans on school land and understands that this includes non-state school sites.

QCEC also supports the intent of the Bill at Section 26ZGE "Person smoking must stop when directed. A person contravening section 26 ZGC or 20 6ZGD must comply with a direction to stop the contravention by an authorised person. Maximum penalty of 20 penalty points."

It is assumed that "an authorised person" in a school would be the principal or person delegated by the principal. However, the definitions of an authorised person at Section 28 of the *Tobacco and Other Smoking Products Act 1998* do not appear to include a definition of an authorised person in a school setting.

### Recommendation:

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If this is the case, it is suggested that such a definition might be included in *HealthLAB 2014*.

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**Conclusion:**

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QCEC supports the thrust of the *Health Legislation Amendment Bill 2014* as it pertains to schools and is committed to working collaboratively with the government to achieve its commitment to have schools that provide for the safety, wellbeing and best interests of all children.

QCEC has appreciated the opportunity to provide these comments to the *Health and Community Services Committee* and would be pleased to provide further comment if required.

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**Mike Byrne**  
**Executive Director**