

## **Tobacco and Other Smoking Products (Vaping) and Other Legislation Amendment Bill 2024**

<b>Submission No:</b>	19
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<b>Publication:</b>	Making the submission and your name public
<b>Attachments:</b>	See attachment
<b>Submitter Comments:</b>	

27<sup>th</sup> June 2024

SUBMISSION -Pamela Wright

**Tobacco and Other Smoking Products (Vaping) and Other Legislation  
Amendment Bill 2024**

Committee Members

Thank you for the opportunity to submit my thoughts on the changes to the above Bill.

I am a tobacconist in Nth Queensland with 10 retail outlets from Sarina through to Cairns employing 50 full time staff and a couple of casual workers. I have been campaigning against the Illicit trade for the last three years. I have continually engaged my local Politicians (State & Federal) on the problems Legal Tobacco Retailers have been facing over the last few years with the Illicit /Black Market exploding.

I had the opportunity of speaking at the Public Consultation in Townsville last March 2023. These are some of the things I advocated for that day.

- Penalties proposed at the time weren't large enough considering the amount of tax-free money passing through these stores.
- The QPS needed to be able to act without the Health Department request as it is dangerous for Health Environment Officers to visit these stores.
- Stores needed to be closed, chained, padlocked and unable to trade from that location for at least 3 months preferably 6 months.

All the above suggestions were not taken on board, so I am pleased to see in these amendments that people are finally starting to listen to the people on the ground.

I was very much for the licensing scheme, but it has taken too long to put into place. Since the new legislation last year 2023 we have had an explosion of Illicit/Black Market Retail Shops in Nth Qld (Sarina to Mossman and west to Mt Isa) A new Illicit Shop has opened every 10 days in the area since August

last year. They are raided but most of them are fully stocked and trading again within 12 hours.

I am aware of the resources it takes to organise and raid these stores so for legal retailers it is very frustrating to see these shops open so quickly. Unfortunately, these serious crime groups do not fear the law they blatantly trade with no concern for the law. They do not comply to the Tobacco Legislation.

### Examples

- Tobacco Products in plain sight and not hidden behind closed doors
- Tobacco accessories in plain sight
- They sell to anyone no matter what age
- They sell single cigarettes
- They sell packs of 10 cigarettes
- They sell illegal nicotine vapes

All the above things are against what our legislation states, but they keep getting away with it.

We have Health Environment Officers calling into Legitimate stores sometimes twice in a month to make sure we are complying with said legislation, but it doesn't appear these Illicit/Black Market Shops are visited very much if at all.

It is obvious that the Illicit product cannot be stopped at the border so the only other way we can try to bring this epidemic under control is to shut it down at the retail level making it harder and harder for them to sell their products. It is going to be hard work, lots of resources and hours to try to curb this as it is like closing the gate after the horse has bolted. Give them no option but to sell out of boots of cars or down a dark alley. At the moment it is far too accessible to the public.

As stated, by lots of data from different sources this has now become a \$9 billion industry as large as the cannabis trade. When I see media reports stating the authorities have confiscated \$1 million worth of product that is only .01% of the market. It doesn't even put a dint in the coffers of these organised crime groups they just factor it into doing business.

New vaping laws have just been introduced Federal Parliament, but this is not going to stop these Organised Crime Syndicates from selling vapes. In Townsville an Illegal shop has a kiosk in their shop where a customer goes online fills out a lot of personal information including their Medicare no. The customer then receives a call from a person who might or might not be a Doctor. The Doctor then sends a script to the shop and the shop hands over a disposable nicotine vape. What a scam. These organised Crime Syndicates keep inventing ways to circumvent the law.

### **We need to stop this at the retail level**

I implore this government to make the laws much tougher for these Syndicates to trade.

- QPS TO BE ABLE TO ENTER THESE STORES, CONFISCATE THE GOODS & CLOSE THE SHOP SO TRADE WILL CEASE FOR AT LEAST 3 MONTHS INITIALLY
- FINES NEED TO BE HEAVY
- IMPRISONMENT NOT AN OPTION (stores trading in these products owners need to be imprisoned for a min of 3 months)
- MAGRISTATES NEED TO BE EDUCATED TO COME DOWN HARD ON THESE PEOPLE NO EXCEPTIONS
- PEOPLE WORKING IN THESE SHOPS ARE MOSTLY PAID BY CASH NOT ONLY ISSUING FINES TO THESE PEOPLE BUT CHARGE THEM WITH TAX EVASION
- LANDLORDS NEED TO BE INFORMED OF WHAT IS HAPPENING IN THEIR PREMISES. IF THEY CONTINUE TO LET THAT BUSINESS TRADE THEY NEED TO BE CHARGED FOR TAKING PROCEEDS OF CRIME

I know this all sounds drastic, but these Serious Organised Crime Groups are laughing at this government. Nothing has worked up until now so if you are serious about the Health of Australians the laws need to be really tough. We need action also. A task force needs to be put into place quickly to action any new legislation.

I keep living in hope that this government will put into place policies that will help eradicate this scourge that has infiltrated our communities. As up to now the legislation and action taken has mostly hurt legal businesses. We

have legal tobacconist closing their doors every week throughout Queensland. Good hard-working people are losing their livelihoods because of this scourge that has completely got out of control.

I will hold onto my faith that you will listen this time and put into action what needs to be done.

Pamela Wright

