

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

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28 June 2024

Mr Aaron Harper MP
Chair
Health, Environment and Agriculture Committee

Dear Mr Harper MP

Environmental Health Australia (Queensland) Inc [EHA (QLD) INC] is writing to the Committee to express our strong support for the *Tobacco and Other Smoking Products (Vaping) and Other Legislation Amendment Bill 2024*.

Environmental Health Australia Ltd (EHA) is the premier environmental health professional organisation in Australia which advocates for environmental health issues and represents the professional interests of all environmental health practitioners. The focus of our organisation is the science of environmental health in the enhancement of environmental health standards and services to the community through advocacy, promotion, education and leadership.

Environmental health professionals are employed across all levels of government including the Australian Defence Force, in universities and in private enterprise. That said, many of our members are Environmental Health Officers 's who are front-line workers responsible for regulating public health protection at state and local government level, often as statutory and authorised officers under various legislation and responsible for enforcing legislation such as tobacco reforms.

EHA (QLD) INC. welcomes and supports the proactive and multiple strategies that address the national public health crisis of vaping. In particular the proposed increased powers of entry for enforcement officers to investigate and act on tip-offs, complaints or suspicion of illegal activity which could result in premise closure, fines and imprisonment options. However, the safety of authorised officers entering these businesses is an issue of concern.

It is reported that there is a connection between selling illicit tobacco and tobacco products and organised crime. Therefore, the introduction of imprisonment options would pose a significantly new risk to enforcement officer safety. To reduce harm in the community, a stronger coordination mechanism and more resources are required to improve engagement and collaboration among local, state, and federal authorities to manage criminal illicit tobacco activity. Relevant agencies for engagement and collaboration include the Police, the Federal Tobacco Control Unit, Border Force, the Department of Health, and the Australian Taxation Office including better coordination of product seizure activities.

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EHA advocates for the adequate and proportionate increase of enforcement officers and the additional training and support that these officers require as State legislation is aligned to Commonwealth legislation. The resources and training that Commonwealth enforcement officers have is commensurate with the role they undertake.

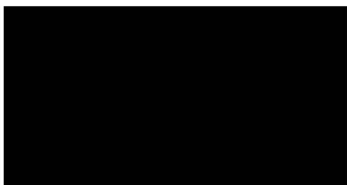
The tobacco and vape industry have deliberately marketed vape products to young people, and vaping rates in Australia have increased significantly over recent years, particularly among children and young people. The Bill will close the loophole that is currently exploited by the tobacco and vape industry, whereby retailers sell falsely labelled “non-nicotine” vapes to children. This Bill will protect Queensland children and young people, while still ensuring that people who smoke can access vaping products for smoking cessation through a prescription model.

Australia signed up to the WHO Framework Convention on Tobacco Control in December 2003. This Framework requires parties to ‘enact or strengthen legislation, with appropriate penalties and remedies, against illicit trade in tobacco products, including counterfeit and contraband cigarettes. Australia has been proactive in implementing a number of strategies for tobacco control but needs to do more to reduce the harm to the community from tobacco use and vaping.

Nationally, EHA strongly supports the uniform adoption of a comprehensive, positive licensing system for tobacco retailers and other smoking products that will work across jurisdictions and further strengthen the recently introduced national control measures on the importation, manufacture, supply, advertising and commercial possession of vapes. Effective and uniform licencing combined with strong regulation and well-resourced enforcement of retailers by environmental health officers will reduce harm and continue to improve public health outcomes for communities across Australia.

Thank you for the opportunity to provide comment on the *Tobacco and Other Smoking Products (Vaping) and Other Legislation Amendment Bill 2024*. If further information is required, please contact the EHA (QLD) INC office on [REDACTED].

Yours sincerely



Wendy Gambley FEHA
President
Environmental Health Australia (Queensland) Inc.

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